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March 18, 1974

Dr. Frank Craighead, Jr.
P.O. Box 156
Moose, Wyoming 83012

Dear Dr. Craighead:

I enclose Xerox copies of the Cole and Brady depositions, which you might want to compare with your information.

Still no trial date.

Sincerely,

Stephen I. Zetterberg (DLM)

Stephen I. Zetterberg

SIZ:ck

Encs.

Cole's deposition

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

DENNIS G. MARTIN, as Administrator of the Estate of HARRY EUGENE WALKER, Deceased,	)	
Plaintiff,	)	
vs.	)	CIVIL 72-3044-AAH
UNITED STATES OF AMERICA,	)	
Defendant.	)	

DEPOSITION OF GLEN F. COLE

Pursuant to Notice, the deposition of GLEN F. COLE, produced as a witness on behalf of the plaintiff herein, was taken in the Administrative Offices at Mammoth, Yellowstone National Park, on April 20, 1973, at 3:25 P. M.

The plaintiff appeared at said time and place by his attorney, Mr. Stephen I. Zetterberg of Zetterberg & Zetterberg, Attorneys at Law, 319 Harvard Avenue, Claremont, California 91711; and the defendant appeared at said time and place by its attorney, Mr. William Spivak, Jr., Assistant United States Attorney, 1100 U. S. Courthouse, Los Angeles, California 90012.

GLEN F. COLE

produced as a witness on behalf of the plaintiff herein, being first duly sworn, on his oath testified as follows:

DIRECT EXAMINATION

By Mr. Zetterberg:

Q Would you state your name for the Record, please?

A Glen F. Cole.

Q Mr. Cole, what is your position with the United States Government?

A Supervisory Research Biologist.

Q And where is your office located?

A Yellowstone National Park.

Q Are you paid out of the National Park Service Budget?

A Yes.

Q Incidentally, I am cross-examining you as if you were, as you are, Mr. Spivak's witness. And the Reporter copies down and will transcribe this and then will submit it to you to check over and read. And you can make corrections then, but if you do make corrections we could comment on them at the time of trial.

MR. SPIVAK: And I will renew my position that the witness is not an adverse party and may not be called as such.

MR. ZETTERBERG: He has made that objection before. That is on the theory that I am a member- - a citizen

of the United States and, therefore, I am not adverse to the Interior Department. Is that correct?

MR. SPIVAK: No comment.

By Mr. Zetterberg:

Q Are you organizationally attached to Yellowstone Park or are you organizationally attached to Washington D. C.?

A Both.

Q Who is your boss?

A Doctor Linn, Chief Scientist.

Q And where is he located?

A Washington D. C.

Q That is L-I-N-N; right?

A Yes.

Q And you have office space here in this same building we are sitting in?

A Yes.

Q Do you have a staff here that assists you?

A Yes.

Q How many on the staff?

A There is four research biologists including myself and one stenographer.

Q Mr. Bucknall is not on your staff; is he?

A No, he is not.

Q He is actually attached to the Yellowstone Park Ranger Staff, I believe.

A That is correct.

Q But he is physically located near your office; is he not?

A Yes.

Q When you say "Research Biologist", is that both animal and plant?

A Yes.

Q How long have you been working out of Yellowstone Park?

A Since 1967.

Q With that same title and position?

A Well, as near as I can recall. There may have been, oh, a matter of months before I came up here before that was clarified on the book work. I just don't recall.

Q In your duties have you been concerned with, among other things, animal biology?

A Yes.

Q And does that also include bears including Grizzly Bears?

A Yes.

Q As we sat down at the outset we were handed a green pamphlet, Mr. Spivak and I, entitled "Wildlife Management in the National Parks" which bears the date on page 1 of March 4, 1963, and it is apparently by the "Advisory Board on the Wildlife Management" appointed by the Secretary of Interior

Udall. And it lists A. S. Leopold, Chairman and then Messrs. Cane, Cottham, Gabrielson and Kimball as Committee Members. Just prior to your testifying today Mr. Bucknall testified and he mentioned a Leopold, quote, "Starker-Leopold Report" of 1967. Is there a different report known as the "Starker-Leopold Report" from this report dated March 4, 1963?

A Not to me. You are asking me to interpret what Ted Bucknall was referring to here?

Q He said that the Grizzly Bear policy in the Park stems from the Starker-Leopold Report of 1967. Could perhaps he have been wrong in the date?

A I suspect he means the report- - didn't you just hand me- - Here. A bear management policy and programs for Yellowstone National Park, September 6 and 7, 1969. Now I don't know what, you know, specifically he was referring to. But do you have this one? I would suspect, you know, without having Ted here that that is maybe what he referred to.

Q Is the Advisory Committee the author of that report?

A This is also referred to as a Leopold Report; yes.

Q I suspect you are right because this apparently is very brief and relates to all National Parks.

A Yes. And that one specifically relates to the bears in Yellowstone.

Q Mr. Spivak, Mr. Bucknall is going to get us that

report and apparently- -

(An off-the-Record discussion ensued)

MR. ZETTERBERG: I think Mr. Cole and I know what we are talking about but I think you do not. Mr. Cole has just examined a report called "A Bear Management Policy Program for Yellowstone National Park" dated September 6 and 7, 1969, A. Starker Leopold, Chairman. Would it be possible to get a copy, for me to get a copy of that?

MR. SPIVAK: Surely.

MR. ZETTERBERG: I have checked through the papers I got yesterday and I don't seem to have that.

MR. SPIVAK: Why don't we continue for now?

By Mr. Zetterberg:

Q Okeh. Let me ask you, Mr. Cole, there is a Grizzly Bear Management Policy in the Park at the present time; is there not?

A There is a management program.

Q A management program. And does it stem from or trace its parentage back to the 1969 report you just mentioned, or does it go back earlier than that?

A Well- -

Q Let me rephrase the question.

A Yes.

Q The question then, I will rephrase it, there is an Advisory Committee Chairmaned by Mr. Leopold; is that correct?

A Correct.

Q And that committee did a report proposing a program for the management of Grizzly Bears in National Parks; is that correct?

A Yes.

Q And what is the document in which that is contained?

A That 1969 report.

Q Does not the bear program in the Park though that is presently in existence go back even earlier than that?

A Well there has been a bear management program in the Park going back for a long time, but the particular program that we have carried out since 1970, probably had a great deal of its origin with the recommendations of the Scientific Advisory Board and those are contained in the '69 Report.

Q Are those the recommendations that led to the closing of the open pit garbage dump program here in Yellowstone Park?

A I think you could say that.

Q And when was the Trout Creek Dump finally closed out?

A Well it was not opened in the year 1971.

Q And when was the Rabbit Creek Dump closed out?

A That would be- - it was not used in the year 1970.

Q When was the Nez Perce sanitary-fill dump opened?

A To my recollection it would have- - okeh, the Nez Perce sanitary landfill, that is the one that is along the Firehole River; is that the one you are referring to?

Q Yes.

A Yes. Okeh. That would have been established in 1970.

Q So 1970 had both the so-called sanitary-fill dump, Nez Perce, and the Trout Creek Dump working?

A Okeh. I think that's correct.

Q When was the first incinerator installed in the Park for the disposal of garbage?

A I don't know.

Q Are there some incinerators operating now?

A Yes.

Q Is there another Park dump that I haven't mentioned that has been phased out?

A Over what period of time? Since the beginning of the Park?

Q I am think of following the 1969, September, Leopold Report.

A No.

Q What about the small facility at Tower?

A That was, by my recollection, was closed prior to 1970.

Q Do you know whether before it was closed Grizzly

Bears used to feed at that dump?

A At the Tower?

Q Yes.

A I believe there are some records that an occasional Grizzly used that.

Q And then there is a dump for the City of Gardiner still in existence; is there not?

A Yes.

Q Do Grizzly Bears feed there?

A Very rarely.

Q That is down at the bottom of the hill; isn't it?

A Yes. Again I would qualify that as, you know, recently. The way the garbage is handled they just don't have bears at it.

Q How was the garbage handled in 1972 in the Park?

A It either went to the sanitary landfill or the three existing incinerators.

Q You mentioned sanitary landfills; are there more than one landfill?

A Yes.

Q Where are the other ones?

A It is located between Canyon and Norris, the Norris cutoff road.

Q When did that go into operation?

A That went into operation in 1971.

Q Are these sanitary landfills surrounded now by cyclone fences?

A Yes.

Q With barbed wire on top?

A Yes.

Q Were they initially?

A Yes.

Q In other words, even before they were used they had the barbed wire on the top?

A Yes.

Q And cyclone fences. Is that partly to keep out animals including Grizzly Bears?

A Yes.

Q Do you know whether they have been successful in keeping Grizzly Bears out?

A Largely successful.

Q There was one that climbed in?

A One.

Q And the electricity was upped on the fence; wasn't it?

A Alteration of the electrical fence discouraged him.

Q Prior to 1969 it is true, is it not, that Grizzly Bears would come in occasionally- - let's rephrase that. Prior to 1969 there was Grizzly Bear eating in both the Trout Creek Dump and the Rabbit Creek Dump; is that not

correct?

A Right.

Q And the Trout Creek Dump is located, is it in Hayden Valley?

A Correct.

Q That is over near Lake; is it not?

A Approximately seven to eight miles from it.

Q West of Lake; is that correct? Uphill?

A Well, more correct direction would be probably north.

Q In June 1972, were there any garbage, open garbage dumps to which Grizzly Bears had access in the Park?

A No, with the exception of the Gardiner dump. I didn't think you were referring to Gardiner.

Q No. During the year 1969 both Trout Creek and Rabbit Creek dumps were operating; were they not?

A Yes.

Q So that Grizzly Bears could come in and feed there?

A Correct.

Q And during 1970 only the Trout Creek dump was being used with the exception of the sanitary landfill?

A The Trout Creek was the only open-pit dump.

Q Yes. Were these dump changes you have been describing made pursuant to the general policy set forth in the Leopold Report of 1969?

A What do you mean by pursuant?

Q That is, were they following the general policy outlined in the Leopold Report of 1969 we mentioned earlier?

A If you say general policy; yes. But a specific management program was developed from the general policy and they were following this specific management program.

Q The Leopold Report was applicable to both Glacier and Yellowstone; was it not? Or was that- -

A No, I think they may mention Glacier but I think, at least by my interpretation the intent was that these were general recommendations to the Superintendent of Yellowstone Park from this Committee.

Q Now the specific management program; who developed that? Was that developed by you?

A No, I had input into it. I think you might say it was developed by the Superintendent and, you know, his staff with input by the Biologist, the Rangers, maintenance people, the logistics of working this thing out.

Q Including even the garbage disposal- -

A Right, it is a big, rather huge program and required input from quite a few people.

Q What I don't understand is the relation between Mr. Mebane to that program and the relationship with you to that program. I can't visualize it organizationally. Could you clarify that?

A Well Mr. Mebane would probably be involved in the

aspects where you were gearing-up to communicate to people coming into the Park information on how to camp in bear country. And this would require his participation. I assume you have seen the program; it is about eleven steps, different steps plus contingency procedures.

Q That would be a program that the Park staff, by that I include all of the Park employees, would have, would know in advance and would be able to put into effect sort of like sort of like general quarters on a ship, as applied to, in this case. Grizzly bears? Withdraw the part about general quarters on a ship.

A The program is a matter of written record. It has been communicated as a conference paper at the University of Calgary.

Q Who was the author of that?

A I reported it.

Q Would that be document dated November 1970, entitled "Preservation and Management of Grizzly Bears in Yellowstone National Park"?

A No.

Q Presented in the University of Calgary in 1970?

A That was one of the papers I presented there.

Q That is not the one you are referring to?

A No.

Q What is the one you are referring to?

A It is Grizzly Bear Management in Yellowstone Park, 1970. It was presented at the International Conference on Bear Research and Management, University of Calgary, Alberta.

Q Were you, as the, you call yourself the Reporter, but it appears you would be listed as the author?

A Yes.

Q Is there a date in 1970? Let's see, it was presented in Calgary; is that it?

A Yes. University of Calgary.

Q And what conference was this presented at?

A The Second International Conference on Bear Research and Management.

Q What month was that in 1970?

A The conference was in November.

Q Well now I have a thing, it says November 1970, Preservation and Management of Grizzly Bears in Yellowstone National Park; is that something else?

A That was essentially the paper. That was published out of there.

Q In other words- -

A They are the same.

Q I see. So I do have that. All right. What is this conference, what is the audience group of the conference?

A Scientists.

Q From what areas, from the academe or from the - -

A Both. Both the academic community and practicing field biologists; Fish and Game Departments, Canadian Wildlife Service.

Q Now the thing that I am wondering about is the dumps were closed, as I understand it, to carry out this program but this program is definitively set out in November 1970, but the dumping was closed almost a year earlier; Rabbit Creek. Can you explain that time differential?

A The dump was not opened.

Q In 1970?

A In 1970. In November of 1970 I communicated to the scientists at this meeting what the program was and its first year's results.

Q In other words, back sometime prior to January of 1970, the Park had already determined to enter upon this program; is that correct?

A Yes.

Q Can you give a date as to when they did determine to go on that?

A I couldn't give a specific date. It would not be my decision.

Q Yes. I was just trying to figure- - the man that probably knows the answer is Mr. Anderson, but he is not here. I am trying to find when.

A I couldn't, you know, this was an Administrative

decision.

Q Would it be as much as a year ahead of that, by January 1969?

A No, it would have had to have been between the report of the Leopold Committee.

Q Yes, that's '69.

A Right. And then, of course, the implementation of this thing in practice would have been when the dump did not open in the Spring of 1970.

Q And actually it probably had to be ahead of that because you had to do something with this garbage?

A You had to develop the program and organize and secure funds.

Q You already had more garbage every year because of the increased population. Now could you give us for the Record other papers you have authored or reported on this subject that would state, or in effect report your work in connection with Grizzly Bears at Yellowstone Park?

A Probably the first paper that presents the compilation of forty some years of data and was published or presented and published at the Calgary meeting and subsequently was also published in the bioscience magazine, that again came out in 1971.

Q Let me ask you right there is that the same issue that had an article by Mr. Stokes and one by Mr. Craighead?

A No, that's a different issue of bioscience. There was a plenary session on Grizzly Bears in which this one by Doctor Stokes and Herrero, etc. occurred in.

Q Somewhere in this pile ofpapers here I have a copy of Bioscience and I had the impression that there was an article by one of the Craigheads and one by you.

A John and I; John Craighead and I had in this Volume 21, No. 16, we had papers in that same issue.

Q When would that have been?

A 1971.

Q Is that the same one that you mentioned earlier when you said the first paper?

A Yes.

Q I see.

A Okeh. I am going to try to answer the remainder of your question.

Q Okeh.

A Following this paper there have been annual reports on the management program where my job is simply to apply the scientific method in some critical evaluation of the program results in relation to its intended objectives. And these have been communicated, you know, the first one in 1970 was up at Calgary; the second one was at Philadelphia at the American Association for Advancement of Science Meeting in Philadelphia.

Q That's '71.

A Yes. December of '71. And then I have another one in press right now.

Q When will that be given?

A It will be published probably as an occasional paper by the National Park Service.

Q How do I get on the mailing list?

A I guess we could, if you left your mailing address here we would mail it to you.

Q About when would that be out?

A I am hoping within a month.

Q Oh.

MR. SPIVAK: Why don't you send two copies to me, if you will.

THE WITNESS: Okeh.

By Mr. Zetterberg:

Q I have in my hand something entitled "Interim Report on Grizzly Bear Management in Yellowstone National Park in 1972". You didn't mention 1972.

A That is not a published report. It was something I presented this September at a meeting of, I think it was the International Fish and Game Commissioners' Grizzly Bear Committee. And it was simply a briefing session for these gentlemen to bring them up-to-date with an interim report. It isn't a published paper. It was just more just strictly

informational paper for these people.

Q It wouldn't be in as much depth, I take it, as the others?

A No, the one that is in press now will be really a summary of tying everything together from 1970 through '72.

Q Are there any other unpublished but available reports similar to this 1972 one?

A There could be one interim report that comes to mind but I don't know if we would have any issues of it any more, but we would have file copies of that.

Q What would that be?

A Usually you come in with an interim report because of the high interest and then as the program is over at the end of the year then you write your final technical report. And the interim reports are always, they don't have all of the data that you finally have at the end of the year.

Q Right. But it would be helpful in filling in our layman's understanding, I suppose, to have that realizing the limitations. What year would that be for, or what part of the year?

A I would actually have to check whether we prepared the interim report the year before.

Q It might have been around September '71?

A Well depending upon the meeting schedules where you needed to communicate information, it might have been even

earlier than September. If you haven't realized it now, we have cranked out a great number of reports on this particular program.

Q Well I have one Philadelphia meeting.

A Yes. That was a formal paper that is supposed to be published December, see, so that would be one of these complete things for 1970 and '71.

Q And then I have one paper in '72 on Grizzly Bear Health Relationships. That's a little off to one side of our main interest here, I assume. I haven't looked at it yet.

A It illustrates my research.

Q Yes. Would you be able to check on the 1971 interim report?

A Yes.

Q And if copies are available and convenient, send a couple of copies to Mr. Spivak.

A Okeh. Then you also want copies of this one that is in press now?

Q Yes. Have you ever done any work on a program in Glacier National Park, or has your work been primarily here in Yellowstone Park?

A Primarily in Yellowstone.

Q I'd like to ask a couple of questions about the Craighead studies that I understand started in 1959 and went for a period of what was it, eight years? Nine years? Twelve

years I guess. Yes, twelve years with which we have seen reports on.

MR. SPIVAK: Is this a question or a statement.

By Mr. Zetterberg:

Q Make up your own mind. You are familiar with the reporting that they were doing based on tagging bears, putting radio collars on some bears, tracking them down to their hybernation and so on; are you not?

A Yes.

Q And I presume you probably read some other papers on that?

A Yes.

Q And you mentioned Mr. Craighead, you do know both Craigheads, I take it?

A Yes.

Q Is your method of reporting similar to theirs in the sense that is it- - do you have a field team with or without yourself that actually tracks bears or what is your method of operation on that?

MR. SPIVAK: Do you understand the question?

THE WITNESS: I think he is assuming that we are radio tracking bears.

By Mr. Zetterberg:

Q I am asking whether you do?

A No, we are not radio tracking bears.

Q Do you have a system of following-up on bears like tagging bears?

A Yes.

Q Would this be the tags that are NPS tags?

A Yes.

Q How does that system work?

A When a bear is handled through any control action it receives a numbered tag and then is transplanted.

Q And are any bears tagged that aren't involved in some control action?

A No.

Q Some of the Craighead reports mentioned color markings which I didn't understand; is that a different thing from tagging?

A Yes.

Q What is color marking?

A It is usually done so that you have something conspicuous enough to identify an animal just by looking at it.

Q From a distance?

A Yes.

Q For example, with binoculars. Do you do any color marking at the present time?

A No, not at the present time.

Q Are bears that are tagged with NPS tags affirmatively tracked; by that, I mean other than just waiting for them to show up again and then being able to identify them; is there any effort made to become acquainted with that individual bear at the present time?

A No.

Q Occasionally when you have a control action in the Park do you come across a Craighead tag bear?

A Yes.

#8 Q Like, I assume, for example, number eight that was involved in the September 7, 1970 bear mauling over at Grant Village.

A You have some information I don't have. I would have to check that.

Q To your knowledge are there any bears that have presently functioning collar radios in the Park?

A I would doubt it.

Q Did you by any chance participate with the Craigheads in any of their actual field forays, for example, going out to watch, to track grizzly bears that are trying to hybernate and so on?

A No.

Q Do you know whether anyone in the Park participated with that?

A No I wouldn't.

Q Is there any present program of observing bears from distance such as the Murie Brothers used to do to watch the particular habits and mannerisms of the Grizzly Bears in the Park?

A Yes.

Q What was that program?

A Myself and the two resident, other resident researchers in here, Doctor Houston and Doctor Mar; both, or all of us gathered quite a bit of information on Grizzly distributions in conjunction with our respective research programs.

Q How long has Doctor Houston been here?

A I believe it is '68.

Q Doctor Mar?

A She has been here probably in the early '60's.

Q On this program involving yourself and Doctor Houston and Doctor Mar, do you attempt to follow individual bears that you can identify?

A Yes, if there is a distinguishing characteristic about it either by natural marking or if we can detect a marker on its ear; yes, we make note of this.

Q How long has this program been going on?

A Here I am not for sure what you are referring to as the program.

Q Program of observing Grizzly Bear life and actions.

A Well this is routinely done in conjunction with our research.

Q Has it been going on since you came here?

A Right.

Q Do you do any tranquilizing of bears with drug shot into bears from a distance?

A Do you mean the three researchers now?

Q Yes, the first question.

A No.

Q Do you ever have assistance of the rangers in some of your observation- - study observation programs?

A In the monitoring system that is established here within the Park; yes, there is the reports of rangers that come into that.

Q But you don't go out with a ranger who has a gun with a tranquilizing shot in it to study the bear and shoot a bear and study it and then let it go free again; that is the kind of thing that Craighead used to do.

A No.

Q I see. Are the tranquilizing shots used by rangers as a matter of policy as a way of subduing a bear short of killing a bear with a gun leading to possible transplant at the present time?

A You mean is that done?

Q Yes.

A Yes.

Q In other words, I understand that the Craighead research that they had done is not continuing on in the Park at the present time by the Craigheads?

A Yes, that would be a correct statement.

Q And when they were in the Park did rangers sometimes help them or did they have their own staff; I am uncertain as to that?

A By helping them what do you mean?

Q Accompany them on tracking expeditions.

A Here again I don't think I could answer that. I suspect it is possible.

Q In other words, the use of tranquilizing shots by rangers now is in case of a control action?

A Yes.

Q And you try, if possible, to save the bear and not kill it if possible?

A Correct.

Q And the gun shots would only be if it were a real emergency situation for the safety or for eliminating of a bear such as the bear that killed the Taylor boy and that kind of thing?

A I think that would be a generalization approximately correct.

Q Right. When did the Craighead research stop in

the Park?

A I am not so sure it has. They were in last Spring making some observations and subsequent Spring.

Q Do you know when their, what I call tagging operation, ceased?

A It was either '69 or '70 I would suspect, as I recall it. These are details that I just, you know, that I would not be too up on.

Q Well they have reported in an evaluation of the dump closings, copy of which Spivak has for, "Grizzly Bear-Man Relations as to Yellowstone National Park." They have reported tracking certain numbers of bears from different dumps to different campsites to similar locations. And I assume that that requires following individual bears. And I wondered, in your study, is there any following of individual bears in that fashion?

A No, there are no dumps at the present time, of course.

Q Incidentally, I neglected to ask about the West Yellowstone Dump which is, for all purposes, in the Park too; do you know when that was closed?

A '71.

Q At the end of '71?

A Beginning.

Q Beginning.

A I think you should check it in a report by Ken Greer. But it was someplace there in the middle of the season or the forepart of the season that they may have closed that one.

Q West Yellowstone Dump is primarily used by the Community of West Yellowstone?

A Right. It is a municipal dump.

Q And they had to close that or do you still have open feeding of the bears that you have been trying to close out up here that wanted to go down to West Yellowstone; is that not correct?

A Well West Yellowstone did have a group of bears that frequented that area and also ranged into the town.

Q When you mentioned the three persons; yourself, Doctor Houston, Doctor Mar, you said that the tranquilizing guns were not used by them- - withdraw that. You mentioned a monitoring system, that is a system incorporating the Park Rangers and Park personnel reporting centrally to Mammoth here through bear logs and reports back from bear logs; is that not correct?

A Bear logs plus observations on a daily basis.

Q How does that operation- - what manner does that operate?

A Well there is standard information recorded for each bear sighting; each reported control action, and this

is all monitored on a map, different colored pins go in for different things and this is kept up on a daily basis for reference information for Administrative use, or reference information for field use.

Q Where is that map located?

A Right in in the Biologist's Office here.

Q That means in your office?

A Right.

Q Yes. Now the bear logs are kept out in the ranger subdistricts; aren't they?

A Yes.

Q How does the information get from there up to the Mammoth Office?

A We usually deal on a daily phone-in basis and of course have much more information in addition to what is shown by the bear logs.

Q And the only bear information that would rise above the level of reporting would be what; would it be bear incidents as we think of bear-human contacts or would it include also bear sightings?

A Bear sightings, activities, descriptions of animals, whether or not tags were present if they could be seen.

Q And is each ranger instructed to keep his eye out for Grizzly Bears?

A It is standard operation procedure.

Q Any other personnel other than the rangers?

A Yes, maintenance personnel and naturalists.

Q Is that part of your program here?

A That's a monitoring system.

Q Monitoring system?

A Yes.

Q That includes, does it include only Grizzly Bears or does it include also Black Bears?

A Just the system primarily concerns Grizzlies.

Q At the present time, the former system, which I will call the Craighead System, and I don't profess to fully understand it, but by Craighead System I mean the system of having a lot of numbered bears that they would try to keep track of by radio monitoring and following bears and that kind of thing; that is not being done by the Park at this time; is it?

A We are not following radio-marked animals; no. We are following all these other things with the monitoring system plus our field research.

Q The Craigheads have a list of bears that are numbered and some of them even have names, I think with certain characteristics; for example, Bear No. 80, passive, good tempered bear was in company with another female bear which was bad tempered and they couldn't observe No. 80 as they had previously observed him because the other bear would keep

them away. No. 80 was a bear that was shot over in the Lake Area I believe with two cubs. That is the kind of almost personal history of bears that they sort of kept track of. Do you do that kind of thing now?

A On animals that are involved in control actions, you would have probably the kind of detail whether it was an aggressive bear or whether it wasn't an aggressive bear.

Q But control action animals, they are either killed, shipped to a zoo or transported away somewhere?

A They are bears that are in some proximity to a developed area.

Q And the Craighead bears, as I understand, are bears that were not involved in some bear management action?

A No, they included, when we would capture a Craighead Bear it would be turned over to them.

Q Right. But I mean your- -

A So their bears were in campgrounds too.

Q Your control- - your sequential information on individual bears depends upon their being control-action bears; in other words, bears that have come afoul of man or property at some point and some action is taken with reference to them; is that not so?

A Would you repeat that?

(Reporter Read Pending Question)

A No. I think if you will read my paper on Grizzly

Bear Health Relationships you will find I was attempting to keep track of the activities up to, as near as I could determine, 35 different bears.

Q But no one is now trying to keep track of the group of bears known as Craighead Bears which have been tagged with Craighead numbers; is that correct? Unless the Craigheads are doing it.

A Well we take bears as we observe them. And we have records, for example, of 27 individual bears as near as we could distinguish on the Northern Range last Spring that were involved in, mainly in predation on elk and this primarily resulted from the work of Doctor Houston and Doctor Mar. There is research where we deal with attempts to distinguish individual animals; yes.

Q Is there a conscious effort to follow through on the individual bears the Craigheads had followed through on for some period of time? Some of their research goes back as early as 1959, perhaps some of their bears do. I am wondering- -

A Unless we have the records of handling these animals, the records are maintained, and we have given copies of the handling records where one of those marked bears would be captured or something to the Craigheads.

Q But you don't have a duplication of the Craighead records of their reporting on bears from '59 on here; do you?

In other words, that is their own research project and they have their own records on that?

A On what aspect?

Q The records of their field work over 12 years relating to Grizzly Bears?

A Only as it is reported in the--

Q In the monitoring system?

A No, in their technical reports and progress reports.

Q Right. There is a difference in view between the Craighead approach to the bear, Grizzly Bear handling in the Park and the present Park system; is there not?

A What do you mean by Grizzly Bear handling?

Q In Grizzly Bear management I should say.

A What do you mean by Grizzly Bear management?

Q That is in the program that you have set forth in your 1970 Paper; that is, the program that the Park is now following which is primarily the problem, the question of closing the dumps abruptly, the open-feeding dumps abruptly.

A Well if you read that report, there is no hard and fast intention to close the dumps abruptly. The rate at which the dumps would be closed was dependant upon the result of the program.

Q I also meant to ask you and I don't think I did if the Trout Creek Dump had been maintained on a standby basis for possible reopening and reusing for open garbage back in

1971?

A That was one of the contingencies of the program.

Q In other words, you could be prepared to give garbage to bears if a certain contingency would arise?

A Certain things that are spelled out there.

Q And that is reported in one of your papers?

A Yes.

Q All right. I will find it then. Was the dump actually reopened?

A No.

Q We also had some testimony from Mr. Bucknall regarding a separation of garbage into different kinds of garbage; what was that about? Or is that in the report here?

A It is contained there but probably not in detail. Here I believe the Craigheads or at least John Craighead must have recommended to the Superintendent that there be a separation of what he calls edibles from burnables and this is on page 89 or 98 in his 1967 Report.

Q I have a report here but I don't have any date on it. It is not '67 because it refers to '69 in here. What report are we talking about? Maybe we are going to carry away more papers than we thought.

A It is thick.

Q Maybe it is in some library.

A Okeh. It is contained in this 1967 Report, it is

a recommendation that edibles be separated from burnables. But anyway in '68 I am pretty sure in talking to Jack Anderson that the Craigheads, John Craighead, must have recommended that the separation of edibles from burnables be carried out on an experimental basis at Trout Creek.

Q What was the purpose of that?

A To evaluate it. And Jack Anderson did, I am sure, implemented this at the request of John. And this was essentially the '68 and '69 Program.

Q Well in your material somewhere does it say what they were trying to do with that separation? Or maybe you can tell us in a word what the proposal was.

A The proposal was to separate theedibles from the burnables.

Q Why?

A I think the reason given by John is that it is more aesthetic in his report.

Q Like having the waiter take the crabshell off of the crab for you?

A Possible. As I remember, I was called down and Jack asked me, Jack Anderson, asked me if this, you know, would pose any problems as far as we were concerned and I said: "No, as an experiment, fine."

Q Do you know how many miles there are of back-country trails here in Yellowstone?

A Ted Bucknall would have been a better source on that.

Q About how many; do you know?

A Oh no. I don't think I should even guess.

Q Do you, yourself, hike over some of these trails?

A Yes. I have spent a great deal of time in Yellowstone back-country.

Q Like what trails have you been over, for example?

A Has he got time for all this? Would it be sufficient to say I have- - from '63 to '66, over a five-year period, I worked the whole Southern Area of Yellowstone Park.

Q Worked?

A Research, my research study involved the whole third of Yellowstone Park for a five-year period. I was headquartered out of Grand Teton National Park at that time.

Q Have you hiked down from Old Faithful to Bechler?

A Not that particular trail.

Q Have you hiked over the Shoshoni Lake from Old Faithful?

A I have worked all this country in here rather thoroughly on horse; all this country through here (indicating), and over here.

Q Now that doesn't show up on the Record. And you are pointing with your pipe. My question really was had you hiked the Shoshoni Lake Trail? It goes from Old Faithful to

Shoshoni Lake.

A No.

Q By hiking I mean hiking or horseback. Have you been on the Howard Eaton Trail?

A Walking, or is that what you mean?

Q Whichever way.

A Yes, I walked on it, the Howard Eaton Trail.

Q Up as far as the footbridge?

A What footbridge?

Q Near Lone Star Geyser.

A Is that in close to Riverside or what?

Q Lone Star Geyser is apparently about half way from Old Faithful to Grants Pass on the Howard Eaton Trail.

A Oh, no, I have not been on that trail.

Q Have you been on the Mallard Lake Trail out of Old Faithful?

A No.

Q Have you been to Solitary Geyser on the trail out of Old Faithful up to Solitary Geyser?

A Up to Solitary Geyser?

Q That's due north of the Old Faithful Inn from the thermal area there right in front of Old Faithful.

A No.

Q Have you been on the Ferry Creek Trail leading up from Biscuit Basin towards Little Firehole?

A Little Firehole Meadows?

Q Yes.

A What portion of it?

Q Any portion.

A Yes.

Q Which portion?

A Down in here (indicating).

Q Down in here meaning near what?

A Oh, let's see, I have walked in on Ferry Creek here in conjunction with my research that led to that Paper.

Q And how far up; did you go up the rise which is due east of Sapphire Pool approximately, oh, for a quarter to a half a mile east of Biscuit Basin there?

A A quarter to a half mile east of Biscuit Basin.

Q You see the gradings go up very sharply there, the trail apparently zig zags back and forth to a place up above Mystic Falls.

A Oh, that's west.

Q West. You are right. I'm sorry.

A You want to know if I went a quarter of a mile- -

Q Over a quarter of a mile .

A East of what point?

Q East of the rise there- - no. I am calling your attention to about a quarter to half a mila west of Sapphire Pool. In the Biscuit Basin there is a trail that takes a jog

up there and goes up above Mystic Falls. Have you been up on that switchback there above?

A No.

Q Have you been up to Summit Lake from the Old Faithful area?

A No.

Q Have you been up to Observation Point on the Observation Point Trail? It is just north of the Old Faithful Geyser area.

A Have I been up to Observation Point?

Q Yes, on the trail, the Observation Point Trail?

A No.

Q If there are any trail closures in the Park due to Grizzly Bears, does the trail closure initiate in your office or with some other office in the- -

A We may make a recommendation but it is usually based upon monitoring information and the actual action is more a result of the District Ranger and his people.

Q Have you been to Glacier Park within the last, oh, six or seven years?

A Yes.

Q Have you seen those little tin markers they have at the start of the trail such as the Siyeah Trail advising of Grizzly Bear dangers in the back-country?

A Yes, I have not seen them. I think I have seen the

reports that describe them.

Q On any of the trails in Yellowstone Park, are there similar warning signs posted regarding Grizzly Bears?

A Yes, I believe so.

Q Where?

A I believe there was one put in this Fall down at Gardiner right below the housing area.

Q Do you know of any others?

A Trail closures by signs; is that what you are talking about?

Q Trail warnings.

A Oh, yes. There was one, I believe it was this Spring or last Spring, it was put out here on a trail that went in to the Artist Paint Pots off of Gibbon Meadow.

Q As you are talking you are looking at a large wall map of the whole vicinity covering Yellowstone Park; are you not?

A Yes. Here again, the best sources for this information would be the District Rangers who actually carries these kind of things out.

Q Do you know whether or not- -

A I am sure there were others in the Park.

Q Are these temporary signs you are referring to?

A Some of them are temporary. There has even been some season-long closures.

Q You are referring, in other words, to signs that actually relate to the closing of a trail; is that correct?

A Yes.

Q Is there any general marking of all back-country trails in the Park as to danger of Grizzly Bears?

A Actual marking of a trail.

Q In other words, a permanent sign stating on the start of the trails, if you know.

A I am not aware of one; no.

Q How many Grizzly Bears are in the Yellowstone Equal System?

A What is the Yellowstone Equal System?

Q I mean the system which centers in Yellowstone Park that may go over, for example, in the West Yellowstone Dump area and the Gardiner Dump area and into the surrounding forest.

A How much of the surrounding forest now?

Q Well, let's just say, for example- -

A Do you want to know how many Grizzlies are in Yellowstone Park?

Q In 1972, June.

A Based upon the information that is developed in this report, I have estimated approximately 250 Grizzlies within Yellowstone Park, and then in the adjoining two thousand square miles bordering Yellowstone, the information

I could gain from various sources there suggested that there could be another one hundred bears.

Q How does this compare with the bear population in Glacier Park?

A Here again I believe from the publications put out by Cliff Martinka, who is the Research Biologist up there, I think he has estimated, on the basis of his studies, something in excess of two hundred bears for the Park.

Q So the population of Yellowstone is slightly larger than Glacier Park, Grizzly Bear population?

A I wouldn't make that final conclusion at this stage of the game. I think there is further study that needs to be done and will be done.

Q How many backpackers typically use Yellowstone Park in June of, say, last year on any given day?

A You would have to get that kind of detailed information from the Rangers which they monitor there. And I wouldn't have that kind of information off the top of my head.

Q Did I ask you how many back-country campsites there are in the Park? I don't think I did. How many are there?

A Here again this isn't- - this is not my area of responsibility. I am a research biologist and you are asking questions that really relate to the operational management of the Park.

Q Don't you think that relates to research of human

beings, and aren't we dealing with human beings- bear relationships?

MR. SPIVAK: Well I object to the question as being argumentative.

MR. ZETTERBERG: I think that is a fair question.

(An off-the-Record discussion ensued)

MR. ZETTERBERG: Do you instruct him not to answer that?

MR. SPIVAK: No, but you have asked him a question and you have received an answer and now you may proceed.

By Mr. Zetterberg:

Q In November 6 to 9, 1970, I believe you mentioned you participated in a conference in Calgary, Alberta relating to bears, their biology and management; is that correct?

A Yes.

Q And that's where you presented the Paper; is that not correct?

A Yes.

Q Were there any other representatives from this Park there at that conference?

A No.

Q Was Mr. Anderson there?

A No.

Q Did you report verbally to Mr. Anderson on your return from the conference of the general nature of the conference?

A Yes.

Q You participated in a panel discussion there, a closing panel discussion summarizing the conference; did you not? You were one of five that participated with- - oh, maybe it is not five; yourself, Marsh, Burghardt, Cowan, Martinka, and both John and Frank Craighead, and perhaps others.

A Now a formalized summary conference including Cowan and- -

Q It is a panel five, bears and human beings; I am referring to pages 334 to 339 of the I.U.C.N. Publication, New Series, No. 23 which is a report of the Papers and Proceedings of the International Conference on Bear Research and Management of Calgary, Alberta. It reports you as participating in discussions there with Martinka, Marsh, Craighead and others; do you remember that?

MR. SPIVAK: If you are going to question the witness based on a document, perhaps you would like to show it to him.

MR. ZETTERBERG: I am asking him if he remembers it.

THE WITNESS: Yes, I think there was. But you have confused this with some kind of formal panel and

I don't think I served on any panel with Cowan.

Q It is M-C-T Cowan.

A Mictaggert.

Q Mictaggert? Is that his middle name or something?

A Ira Mictaggert Cowan.

Q Then there is, I see listed here, a J. Summer; who are these people?

A Well Doctor Cowan is, I believe, affiliated with Canadian University and I am not sure whether it is Alberta or, I suspect so.

Q And Martinka is at Glacier; right?

A Martinka is a Research Biologist at Glacier.

Q Herrero, you mentioned him earlier?

A Steve Herrero is at the University of Calgary. But I don't believe you are correct in assuming this was some formal panel. You are talking about a floor discussion?

Q It is all in the first person by these individuals. For example, Marsh asks you, he says: " I am interested in finding out whether in Yellowstone or in the Canadian National Parks people are in fact being prosecuted for feeding bears or intimidating bears." And you were reported as answering: "The answer for Yellowstone Park is yes." "I think principally for the roadside feeding of Black Bears." Does that refresh your recollection?

A Yes. That was a floor question.

Q Herrero was talking about Island and the bears on ; do you remember that?

A Yes.

Q And do you recall Herrero asking John Craighead about the future of the Grizzly Bear Research Project which has been going on for twelve years within Yellowstone Park?

A Yes, I think I recall that.

Q Do you remember Craighead saying it is very obvious that if Trout Creek is closed down has been stated in this, in the policy of the Park Service there are going to be tremendous changes in the movements and habits next year, more so than this year. Do you remember that?

A I am assume you are reading it so, you know, it must be a transcript from that floor discussion.

Q Does it ring a bell just in general with you?

A Yes.

Q And is it true that there has been tremendous changes in the bear movements and habits growing out of this change in management?

A Well what do you mean by, you know, suddenly they weren't at the dumps and then they were scattered on natural foods; is that what you mean by change?

Q Well I am asking you what that means.

A Well if- - it depends on what you mean by change.

Q Actually I am quoting from Craigheads, you see.

A Yes, and of course I don't know what he means by- -

Q It is not the same as it was before; whatever the changes are it is not the same as when the dumps were operating as open feeding; is it?

A Well if change refers to bears will no longer be concentrating at dumps; yes.

Q And then Craighead went on to say, and I quote: "I would even go so far to predict that if it is done there is very likely to be a fatality in Yellowstone."

A Okeh.

Q Do you remember that?

A Yes.

Q Did you report that to Mr. Anderson?

A Yes, I believe so.

Q Now very quickly, that is, you reported it to him after you got back from the Calgary conference?

A Again, it may have been just verbally.

Q Yes. I would surmise from looking at you that you were somewhat younger than the Craighead Brothers; is that correct?

A I suppose. I don't know.

Q What course did you major in in college?

A You mean in the form of science?

Q Undergraduate. Let's just say where did you take your undergraduate work?

A I graduated with a Bachelor of Science in Wildlife Technology from the University of Montana, Missoula.

Q Do you have a Masters Degree?

A Yes.

Q What degree is that?

A That's a Masters Degree in Fish and Wildlife Management.

Q Is that called a MS?

A Master of Science.

Q And do you have any other degrees?

A No.

Q Have you done any other writing, published writing, on Grizzly Bears other than what you have listed for us today?

A In formal publication?

Q Yes. Could I, for example, go to the library and get it?

A No, not on Grizzlies.

Q When did you first start your work specifically on Grizzly Bears?

A In Yellowstone.

Q When you came here, or was it earlier?

A Well I, in a formal research project I guess you would say it started with 1967 here on my study involving the Firehole, Gibbon and Madison areas within the Park.

Q Incidentally, who determines where bears are

transplanted to in the Park? That is, who in the Park determines where the bears are transplanted?

A I would imagine it is primarily up to the operational District people who may, you know, ask for certain information from us on it, but the operational transplant is handled by the rangers.

Q Was it your recommendation that the bear that killed Walker be transplanted in October 1970, from Old Faithful to the Gibbon area?

A No. Not to my knowledge.

Q Were you consulted on that at all?

A I can't recall.

Q Okeh. Then previous to- - going backwards very briefly here in your employment starting with the time you came to Yellowstone Park.

A Going backwards?

Q Yes.

A Okeh. Prior to coming to Yellowstone for five years I was a research biologist with the National Park Service.

Q Where?

A At Grand Teton. And that is where I worked on the research that involved the Southern third of Yellowstone.

Q Yes.

A Then prior to that from about 1955 to '62 I went through positions of senior biologist leading to ultimately

the Research Supervisor for the Montana Fish and Game Department.

Q Research Supervisor?

A Yes. Big Game Research Supervisor for the Montana Fish and Game Department.

Q Where was that located?

A Helena.

Q Who was your supervisor there, if any? Your superior?

A Game Management Division. I believe the last one may have been a person named Winn Freeman.

Q Okeh. Then prior to that, prior to '55?

A Oh, I was, from about '53 to '55 I was Research Biologist with the Montana Fish and Game. And I believe most of the time there I was initially out of Lewistown and finally out of Stanford on research studies.

Q When did you get your MS?

A 1955. I worked both as, you know, on a research study for the Montana Fish and Game Department which I would have to check; it either started in '52 or '53.

Q Then was there employment before that or were you in school?

A Both.

Q Okeh. What were you before '53?

A Student.

Q That's far enough unless there is something there that you think I missed.

I have no further questions now.

CROSS EXAMINATION

By Mr. Spivak:

Q Mr. Cole, you referred to the West Yellowstone Dump; is that inside the Park or outside the Park?

A Outside.

Q Now there was a good deal of testimony about this closure of the garbage dumps. And counsel alluded to some difference of opinion between the approach that the Craighead Brothers may take and the approach that you recommend, and if I understand it correctly, the only difference of opinion centers around the question of whether the dumps shall be closed over a short period of time or phased out over a much more extended period of time. Now have I posed the difference of opinion correctly? If not, maybe you could.

A I think that the way to say that is the Park had the option dependent upon what happened in the Management Program of either closing the dump within a short period of time or over a longer period of time depending upon exactly what happened in the Program. That was the schedule as I mentioned in my report; the set schedule for closing dumps was open-ended dependent upon what happened.

Q Did you present alternatives to the Park Superintendent?

A I think in the reports there were, based upon 40 years of information that had resulted from management of bears in Yellowstone Park, there were some things listed that could possibly happen if you closed the dump fast or whether you extended it over a long period of time. Those two possibilities were mentioned with some of the things that could happen with either course of action. There is no specific recommendation made.

Q There is advantages and disadvantages.

A Right. That's the way it went, was presented.

Q Well, what did you feel would be the disadvantages of closing the dumps over an extended period of time?

MR. ZETTERBERG: Excuse me just a moment. May I ask you how long you are going to go on this, you will be on this line of questioning because if it is going to be long- - I haven't used him as an expert witness. And you are now using him as an expert witness, and if so, we might start you calling him separately. But if it is just a short thing- off the Record.

(An off-the-Record discussion ensued)

By Mr. Spivak:

Q Let's strike that last question. Now as I understand it, both yourself, the Craigheads and other scientists were agreed that the dumps should be closed?

A Yes.

Q Now would you state the advantages and disadvantages of both the abrupt closure of the dumps and the gradual phased-out closure?

A You want me to just recall what, that, or it is written in this Bioscience Article and it is very- - I could tell you what is written there as much as I can recall.

MR. ZETTERBERG: To be sure we are talking about the same Bioscience Article; what is that?

By Mr. Spivak:

Q And you are referring to the article "Preservation and Management of Grizzly Bears in Yellowstone National Park" which was published in the issue of Bioscience dated August 15, 1971.

A Yes. Do you want me to nutshell that? I think I can handle it.

Q Fine.

A Really with the more rapid closure of dumps it would mean the extent to which you didn't have that subsequent generation of young learning how to use these unnatural food sources and not having their habits and behavior altered by the presence of these unnatural food sources. With a more prolonged, drawn-out presence of these food sources, you would have that, for that number of years, you would have that number of generations of cubs in training to use these food sources, to have their habits or behavior altered by them. Additionally,

as you slowly withdrew the amount of food, you would have the bears socially interacting and within what the data shows as distances from developed areas, that over time you could actually have more bears coming in to developed areas and actually have to probably kill more bears over time as a result of this long drawn-out process. And I think in that article I just, much better than I said it here, I list the things that could happen if you did it one way and the list of things that could happen if you did it the other way. And this was simply for Administrative consideration, information to people that might wonder, you know, based upon my analysis of the data, why, it looked like this could happen and it looked like that could happen. Is that sufficient here?

Q Yes. And your views you just set forth and are set forth in the article are based on your research and your reasoning?

A My analysis of the 40 years of information here which included some prior closures of dumps within the Park.

Q Do the Craighead Brothers have any responsibility for the protection of Park visitors?

A No.

Q To ask an obvious question, does the Park Service have a responsibility for the protection of Park visitors?

A Yes.

Q Earlier you were asked about a program in 1968, and

or 1969, it was recommended by the Craighead Brothers that involved the separation of, I think you said edibles from burnables?

A Yes.

Q Was this recommendation put into effect for any period of time?

A '68 and '69.

Q Did you testify as to the purpose of this separation or did you know?

A I didn't think I could properly answer. It was, I think, a request by the Craigheads to have this done.

Q Well did this practice of separating, did this decrease the number of management actions that had to be taken against Grizzly Bears?

MR. ZETTERBERG: Now wait a minute. Now you are going into a whole new field.

MR. SPIVAK: Well you asked about this.

MR. ZETTERBERG: I didn't ask about this on management actions. And that is going to call for opinion evidence and opinion evidence is going to open up a whole new door and it is beyond your examination. If you want to ask that kind of questions, let's start over, and you call him as a witness. But not on our deposition time. I read enough of his papers and the Craighead papers to know that that opens up all kinds of things that are covered at great extent in

the Papers he has already sited. And, therefore, it is beyond the scope of my direct examination, and I would object to it.

MR. SPIVAK: Well I don't think it is beyond the scope of the direct examination. And I just have a couple of questions.

MR. ZETTERBERG: You have a couple of questions and then I have to have a lot of cross-exam questions. Save that for the time of trial, if you want, or call him yourself. But that involves a whole new field we haven't gone in to. I did not cross-examine him as an expert. I cross-examined him as a witness. You are now trying to cross-examine him as an expert. And if you do that then I have to start asking all kinds of questions based upon the ecology, upon the bear relationships. Up to now you have been okeh, but that's something that cannot go into the Record without opening up a whole new field which is going to take hours.

MR. SPIVAK: Well you have asked two witnesses about this separation.

MR. ZETTERBERG: I have asked only facts about it, I have not asked opinions at all. I only asked when it happened. Now you are asking his opinion whether- - how it affects bear incidents and things like that. And that is a whole- -

MR. SPIVAK: Well that's a fact. You have been asking witnesses about- -

MR. ZETTERBERG: All right, right now, no more on my deposition. If you want to call him and set a time for that; okeh. But I personally will probably not be there because it is in the material. In other words, you are going now into the material that instead of putting it into this deposition, we have gotten his reading matter on. And no more.

MR. SPIVAK: Would you like to point it out to me where it is in the written material?

MR. ZETTERBERG: The whole thing is in there. You are asking for his opinion on the affect of these programs on bears and on human beings and that is something that would open up a whole new bunch of things that I didn't start because I didn't ask him opinion evidence.

MR. SPIVAK: You started on this subject.

MR. ZETTERBERG: If you want to call a separate deposition; okeh. But not on this. In other words, I am not going to pay for any more.

MR. SPIVAK: Maybe we ought to go off the Record, because you are paying for all this right now.

MR. ZETTERBERG: I am putting it on the Record. That is on the Record now. Okeh. Off the Record.

(An off-the-Record discussion ensued)

By Mr. Spivak:

Q Well let me just ask, was this practice of separating

the edibles from the burnables terminated?

A Yes.

Q And do you know why?

A No. Other than, youknow, the other program came in in 1970 as a result of the recommendations by the Scientific Advisory Board.

Q During the course of your testimony you mentioned a Doctor Houston and a Doctor Mar; did they also work with you on the Grizzly Bear Research? Sometimes. Not constantly.

A Yes, we are all concerned with research on all the Parks' biota and the Grizzly is in it as one of the major foul species which we are all concerned with.

Q Oh, on direct I think you were led to testify that Grizzly Bears existed in just Glacier and Yellowstone National Parks. Aren't there Grizzlies, or are there Grizzlies in Teton National Park?

A I think there is some evidence that they are there; yes.

Q And as far as the States, the Grizzly now exists in Wyoming and Montana and don't some exist in Idaho?

A Yes.

Q Any other States?

A Here again I think there is some occasional records for Washington or something like that.

Q And then of course north up to- -

A All through Canada.

Q - - Canada and Alaska?

A And Alaska, of course.

Q The term "sanitary landfill" was used a number of times. Would you please describe just what a sanitary-landfill dump is?

A Within an area where there is proper soil, an excavation is made in the way of a trench and the soil is stockpiled in such a way that as garbage is put in there is a covering put over it of soil, compacted, and you just keep filling up the trench and covering and that is what is called a sanitary landfill; compact cover.

Q I see.

A And then of course in here we have the fence, the chain-link fences around them within the Park and then electrification on the outside of that.

Q And in connection with this policy of closing the dumps, was there also companion management policies so-to-speak that involved sanitizing the campgrounds?

A Yes.

Q Would you describe that a little bit?

A The information program brochures, quite a commitment of manpower and funds to, you know, better information to the public.

Q Bear-proof garbage cans part of it?

A Yes. The procedures are described in detail in that Philadelphia triple A.S. Paper on the different things that were done.

Q Do you have any statistics which you compiled after the closing of the dumps?

A Yes.

Q And what kind of statistics are these?

A Statistics that relate on our measurements of distribution changes in the bears. We have statistics that relate to an attempt at some measurement of the relative numbers of bears seen in the wild versus seeing in developed areas. We have the statistics that relate to the numbers of control actions, the numbers of different individual bears handled in the control actions, and the statistics that relate to the distances that bears were transplanted and whether or not they returned, the statistics on the number of injuries that occurred.

Q Now, will these statistics be found in the paper which you earlier indicated as now in press?

A Yes, that will be a complete summary of the statistics that have been compiled since the dumps were closed, with the first dump that was closed there in 1970 with comparative data from 1968, and 1969. That will be in that report.

MR. SPIVAK: Now, Counsel, I can do one of two things right now, we can wait for the Paper to come

in and then take the statistics from the Paper or I can ask the witness right now if he has the statistics.

MR. ZETTERBERG: No, you can't do that. He has already answered they are in the Paper.

MR. SPIVAK: Right. But the Paper is not in the Record and we can't incorporate it in the Record right now because it is not published yet.

MR. ZETTERBERG: It is not going to be in the Record any more than these others. We will have the Paper.

(An off-the-Record discussion ensued)

By Mr. Spivak:

Q Is this the table right here?

A Well the whole thing that I mentioned here of up-to-date information on number of injuries- -

Q These are your statistics?

A Yes.

MR. SPIVAK: I am asking the Reporter to mark five pages as Defendant's Exhibit A to this Deposition of Mr. Cole.

(COLE DEPOSITION - DEFENDANT'S EXHIBIT "A" MARKED FOR IDENTIFICATION)

By Mr. Spivak:

Q Going back on the Record. Now, Mr. Cole, are the tables contained in Defendant's Exhibit A a portion of this

Article which you stated a moment ago was now in press?

A Yes.

Q And does Defendant's A contain some of the statistics that you referred to a moment ago?

A Yes.

Q What does Table A contain?

A Table 1?

Q Table 1, I'm sorry.

A Numbers of injuries to humans from Grizzly Bears by periods of years in Yellowstone Park from 1930 through 1972.

Q And how did you compile this information?

A It is accumulated information in the Park files going all the way back to 1930 and it is just the records, existing records on injuries in the Park files. These are, of course, reported from the field to the Park Administration.

Q And what is Table 3?

A Table 3 is the 1968 through 1972 records of Grizzly Bear control actions in developed areas within Yellowstone Park.

Q Now, what does the term "control actions" mean?

A One control action is recorded each time a bear is captured for transplanting, shipped to a zoo or destroyed.

Q And how are developed areas defined?

A Well, these are areas within the Park where physical

facilities such as campgrounds, trailer courts, cabin complexes, and so forth, exist for either as visitor facilities and they often contain Administrative facilities as well.

Q And again you are responsible for compiling the information set forth in Table 3?

A Yes.

MR. SPIVAK: I have no further questions.

REDIRECT EXAMINATION

By Mr. Zetterberg:

Q Mr. Cole, you mentioned that when- - that the closing of the dumps rapidly rather than slowly was based partly on social interaction between bears and that from the date of which you had showed that there would be less bears coming in to developed areas if it were closed rapidly rather than slowly; do you recall that back about twenty minutes ago?

A I think it was referring to that report where I listed these things as possible causes of doing these things. At that time, you know, the data was based upon the accumulated 40 years and since then we have new data that actually came out of the program.

Q My question then is, your word "data" in a sense we were referring to regarding garbage dumps, were you referring to statistical data or are you referring to scholastic data such as studying literature on Grizzly Bears?

A Both. Your interpretations of the possible affects

were based upon, say, some of the literature on bear behavior.

Q And you said that your interpretation was that there would be less coming into the developed area if you changed rapidly; what published literature or unpublished literature did you rely on for that ?

A I think you have just got it turned around. I said there was a possibility that with the closure of the dumps abruptly you could have initially more bears coming than if you did it over a long period of time. But over a long period of time you could possibly have more bears coming in because you would have cubs continuing to learn to use these food sources, you would continue to have bears concentrated within the seven and eight-mile distances of developed areas and then you would also have the social interactions of bears continuing at over a progressively reduced food source over time. And these were just simply listed as, you know, possible affects from doing it one way and possible affects from doing it another way.

Q Well I understand. We don't necessarily need to be tied to past research, but do you have any research that would- - printed material or papers that would, that you could quote to us on which you rely for that conclusion, or is that a conclusion that you are trying in the experimental program?

A You see, it would be based upon, and I think I developed it in that Paper, a study was made in here by

Horknocker on the garbage dumps where he recorded all this social interactions that occurred.

Q Pecking order?

A Yes. And then there is, you know, the whole field of, relative to this dominant-subordinate relationships among animals gives you some bases for saying it was probable that these things could occur. So it would be just the basic literature on, you know, the animal behavior.

Q All right. Now Mr. Spivak asked you about sanitizing campgrounds, that reminded me that you used the word "incinerators"; is there more than one incinerator now? How many are there?

A Three. One here.

Q Mammoth.

A One at Grant Village, and one at Lake.

Q Right.

A Next to the Bridge Bay area.

Q One thing that I neglected to ask any of the other Park personnel knowing it is now twenty after six; do you know whether campground sites are reserved during the summer months? Can you just come in and take any sites you want? If you don't know, never mind. But if you do happen to know.

A Some of them for the group campgrounds are reserved. And the others are generally on a first-come, first-served basis.

Q And Mr. Spivak, are you going to give me a copy of the manuscript which Mr. Cole just gave you which has as attached the five exhibits?

MR. SPIVAK: Well we have already given you reams and reams but you noted the late hour and when we return back to town, of course, it will be available.

MR. ZETTERBERG: Yes, but I am asking right now.

MR. SPIVAK: No, not right now.

MR. ZETTERBERG: Mr. Cole said he could make it available to us. He has given one to you.

MR. SPIVAK: I will give you one in Los Angeles but I don't think there is anyone here to copy it. It will be available to you.

MR. ZETTERBERG: Let me ask you a question right now, do you have a copy now, a mimeographed copy?

THE WITNESS: Without the tables.

MR. ZETTERBERG: You don't have one in your office here in the building? If you do the question is whether it is available. Off the Record.

(An off-the-Record discussion ensued)

RECROSS EXAMINATION

By Mr. Spivak:

Q One question. Mr. Cole, I think you made this clear, but I want to be certain; am I correct to understand that in

conducting your research and making your recommendations to the Superintendent, you take into consideration the concerns and the writings of various other scientists?

A Do you mean do I cite them?

Q Well, no, do you consider them?

A Well you- -

Q I think you have already answered the question.

A You are communicating a professional paper which you have signed your name to and you are responsible for the interpretations before your peers which are, in my case, are other scientists.

Q But in arriving at your recommendations and in conducting your research you do take into consideration the views of other scientists?

A What do you mean by take into consideration?

Q Well, counsel read to you from a summary of proceedings at Calgary where one of the Craighead Brothers had expressed some concern over possible fatality, so using that as an example I am asking you whether you take into consideration matters of this nature in arriving at your recommendations? I am not saying that you agree with it, everything you read, but do you consider other things?

A Oh yes, the alternative interpretations of others can be presented in a report. And if you notice that in this last report where there is some difference between the

Craigheads and myself over estimates of bear numbers. Yes, present their information as they got it and then I present mine and so that the reader can arrive, you know, knows that there is an alternative interpretation.

MR. SPIVAK: That's all.

MR. ZETTERBERG: No further questions.

(At 6:25 P. M. Deposition Adjourned)

WITNESS GLEN F. COLE

STATE OF _____)
) SS:
COUNTY OF _____)

I, _____, a notary public in and for the State of _____, hereby certify that the foregoing deposition taken down in Shorthand by C. Gene Klingler, and thereafter transcribed and reduced to typewriting by him was carefully read over by said witness, GLEN F. COLE, and subscribed to by him in my presence.

I further certify that I am not agent, attorney, or counsel for any of the parties hereto, nor am I interested directly or indirectly in the event of said action.

In Witness Whereof, I have hereunto set my hand and affixed my notarial seal this ____ day of May, 1973.

_____
NOTARY PUBLIC

My Commission Expires _____

STATE OF WYOMING)
) SS:
COUNTY OF WASHAKIE)

I, C. Gene Klingler, a notary public in and for the State of Wyoming, hereby certify that by virtue of the authority thereby and by law in me vested, there appeared before me in the Administrative Offices at Mammoth, Yellowstone National Park, at the hour of 3:25 P. M., on the 20th day of April, 1973, GLEN F. COLE, produced as a witness on behalf of the plaintiff in that certain action pending in the United States District Court, Central District of California in which Dennis G. Martin, as Administrator of the Estate of Harry Eugene Walker, Deceased, is the plaintiff and the United States of America is the defendant.

That said witness was by me first duly sworn to testify to the truth, the whole truth, and nothing but the truth, and was thereupon, in my presence, interrogated by Mr. Zetterberg on behalf of the plaintiff and by Mr. Spivak on behalf of the defendant.

That the testimony and deposition of said witness was taken down in shorthand by myself and thereafter transcribed and reduced to typewriting by myself.

That the foregoing 69 pages contain a full, true, and correct record and transcription of all interrogatories propounded to said witness and of the answers given by him, and of all proceedings which were had or occurred upon the taking

of such deposition.

I further certify that I am not agent, attorney or counsel for any of the parties hereto, nor am I interested directly or indirectly in the event of said action.

In Witness Whereof, I have hereunto set my hand and affixed my notarial seal this 15th day of May, 1973.

C. Gene Klingler

C. GENE KLINGLER, NOTARY PUBLIC AND OFFICIAL COURT REPORTER, FIFTH JUDICIAL DISTRICT, STATE OF WYOMING

C. GENE KLINGLER - Notary Public
County of Washakie
State of Wyoming
My Commission expires December 4, 1975

I N D E X

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10-12-75

Frank -

I left the outline out of the other mailing. Here it is.

Martha

42 pages

Martha Shell
809 East 83 St.
Kansas City, Mo. 64131
Tel: 816-444-6487

Outline for story on Yellowstone Grizzly Bears (Walker Case)

**Lead: Alabama farm family takes powerful U. S. Government (NPS) to court to get the facts on death of son, Harry Eugene Walker, in a grizzly bear attack in Yellowstone National Park -- the theme around which the story is written.

A. Statement on family's disbelief of published claims about the death.

B. Family's faith upheld by decision of U. S. District Court.

C. Public has the right to know the truth.

**Background: Details of the fatality.

A. Narrative of Walker's death in 1972 and surrounding circumstances, including a 1970 "missing camper" incident.

**Conflict: The trial -- necessary to overcome government secrecy and dishonesty.

A. For the Plaintiff, Harry Eugene Walker, deceased.

1. Introduction of plaintiff's expert witness, Dr. Frank C. Craighead, Jr., -- brief statement of grizzly management recommendations based on research conducted with brother, Dr. John J. Craighead; their warning against abrupt closures of garbage dumps where grizzlies fed.

2. The Craighead testimony on:

a. NPS mismanagement of grizzly linked to Walker death.

b. Craighead findings on grizzly population supporting their recommendations.

c. NPS resistance of above and adoption in 1968 of program for abruptly closing dumps based on erroneous conclusions.

d. Early results of above program indicating need for correction

and John Craighead's prediction of a death if NPS program continued.

e. Results to grizzly population of continuation of NPS program.

f. NPS pressures applied to independent Craighead research, ending their studies in Yellowstone. < destruction, appropriation, loss of lab. – bulldozing & burning

B. For the Defendant, U. S. Government.

1. U. S. District Court's conclusion that government failed to establish any affirmative defense.

2. Defense testimony that influenced above.

a. Jack K. Anderson, Yellowstone Superintendent (1968-mid1975) -- it was his decision to close dumps abruptly.

b. A. Starker Leopold, former chairman of NPS Natural Sciences Advisory Committee, author 1969 "Leopold Report" (bear policy and program for Yellowstone) -- Leopold resigned from above committee in 1972 but retained "ex-officio" membership while working on bears; he was forced to change Leopold Report to credit Craigheads with giving advisors their research data; he considered grizzly problems solved in Yellowstone by 1972. — testimony by F.C.C. on 1971 incidents in Lake campground

c. Glen F. Cole, defendant's expert witness, the park's supervisory research biologist who designed "abrupt method" -- a 1974 National Academy of Sciences report, in evidence, found NPS research under Cole "inadequate" and supported Craighead findings.

d. Arthur M. Pearson, biologist with Canadian Wildlife Service, -- testimony on bear behavior agreed with Craighead findings.

e. Harold J. Estey, an assistant superintendent of Yellowstone -- gets caught in a lie (see below).

f. James Brady, former Old Faithful Subdistrict Ranger, participant in 1970, 1972 captures of grizzly linked to Walker death and recovery of Walker's body -- tells the truth (see below).

C. Government's case falls apart.

1. Estey-Brady exchange reveals NPS lying, denying existence of official park documents.

D. Judge orders "non-existent" park documents into court.

1. Documents show 1970 "missing camper" incident; record of grizzly linked to Walker death; more grizzly control actions in 1972 than in any previous year of garbage removal program.

E. U. S. District Court's Decision.

1. Narrative on court's Findings of Fact, Conclusions of Law.

2. Core of court's opinion, word for word.

**Conclusion: Update from Walker's death and a call for expertise to be applied to problems.

A. Walker family's statement of meaning of case -- saving human lives, preventing injuries, saving grizzly bears. publicly distorting facts and defaming character of boys — slander

1. Axiom: Preservation of grizzly bears and adequate provision for public safety cannot be separated -- they are a part of each other.

2. Rash of injuries by grizzlies in U. S. Parks in 1975 -- 2 in Yellowstone; comparison with past records.

B. Department of Interior's "closed corporate" procedure for dealing with research-management, indirectly with public safety.

1. 1973 - Interior funds costly project, brings all research on Yellowstone grizzlies under government agencies, puts NPS in charge.

2. Craighead findings, research-management recommendations of National Academy of Sciences ignored, same for NPS Natural Sciences Advisory Committee.

a. No non-governmental coordinating body under neutral chairman.

b. No independent research project by scientists with bear expertise.

c. No incorporation of prior research (Craighead) into studies.

d. No visual tagging, tracking of grizzlies.

3. NPS lacks credibility, expertise, but NPS is investigating NPS and public takes the "facts" warmed over by NPS.

E. Is Department of Interior making sincere effort when sets up NPS dictatorship, excludes independent scientific community, creates means by which scientific, managerial, legal responsibility can be avoided?

F. Dept. of Interior's ambivalent policy leaks the truth.

1. Above is to defend NPS -- no trouble in Yellowstone -- grizzly population doing fine, while,

2. Implementing a recovery project to restore grizzly population based on finding of its own Fish and Wildlife Service that grizzly threatened, even endangered in some cases.

G. Dept. of Interior waits for action until situation critical -- scientific expertise with grizzly now a critical necessity.

1. Craighead brothers pre-eminent grizzly bear authorities -- their specialty the Yellowstone population -- must bring them in.

2. Brief discussion of the problems; need for public to know truth so can participate, cooperate.

**

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CLAREMONT, CALIFORNIA 91711

STEPHEN I. ZETTERBERG
CHARLES L. ZETTERBERG
DENNIS G. MARTIN

TELEPHONE
(714) 621-2971

Bart, 5-6 Moose

July 28, 1975

Dr. Frank C. Craighead, Jr.
P.O. Box 156
Moose, Wyoming 83012

Dr. John J. Craighead
Montana Cooperative Wildlife
Research Unit
University of Montana
Missoula, Montana 59801

Dear Frank and John:

Enclosed is a description of the case from the American Trial Lawyers Association News Letter.

I talked with Mr. Spivak late last week and he informed me that the Government had ordered a transcript.. I had our law clerk try to contact the court reporter, Betty Fitzsimons, for Judge A. Andrew Hauk, to find out the status of this. Frank, you once mentioned that you knew some person or organization that might want to obtain a transcript, and it would be cheaper to get a copy then to have it transcribed. If the transcript is still desired, you might write to the court reporter for Judge Hauk, as follows:

Ms. Betty Fitzsimons
Official Reporter
U. S. Courthouse, Room 430
321 North Spring Street
Los Angeles, California 90012

and refer to case No. 72-3044-AAH, Martin v. U.S.A.

The court exhibits, such as the bear logs, according to our investigation, have to be copied by the clerk of the court at 50 cents per page.

Sincerely yours,

Stephen I. Zetterberg

SIZ:ck
Enc.

Excerpt from The Association of Trial Lawyers of America News Letter, June, 1975

Trial: (1) Hotel's Advertisement, Which Characterized Establishment as "a Family Resort" with Supervised Activities for Children and Teenagers, and which Plaintiff Read and Upon Which He Relied, Was Admissible as to Hotel's Representation of Its Quality and of Care Guests Should Expect; (2) Basing Ruling on 1959 Decision of 2d Cir. in Absence of More Recent Delineation of State Law by State Cts., N.Y. Law Construed to Oblige Inkeeper "to Use Reasonable Care, Commensurate with the Quality of the Accommodations Offered, to See That His Guest Is Not Abused, Injured or Insulted by His Employees", Which Reasonable Care, in the Case of a First-Class Family Resort, Would Mean a High Degree of Care; (3) Damages Awarded by Jury Were Not Excessive; (4) Punitive Damages Could Not Be Recovered; (5) Citing McKee v. Sheraton-Russell, Inc., 268 F.2d 669, 672 (2d Cir. 1959) & Stone v. William M. Eisen Co., 114 N.E. 44 (N.Y. 1916), Hotel Could Be Held Liable Even If Employee's Actions Were Not Within Scope of Employment; (6) Despite the High Standard of Care Noted, Hotel Is Not an Insurer of Its Guests' Safety, & Mere Proof of Injury to Guest Would Not Entitle Plaintiff to Directed Verdict, so Judge Erred in Directing Verdict for Plaintiff & New Trial Would Be Ordered on Jury Issue Created by the Evidence as to Whether It Was Reasonable to Have No Policing of Hotel Lobby or of Elevators in Order to Prevent Such Incidents. TOBIN v. SLUTSKY, 506 F.2d 1097 (2d Cir. 1974) [Instant ct. in its opinion noted that the 3 leading N.Y. cases on hotels' standard of care were more than 50 yrs. old, but nevertheless had formed the basis for the rule in the 1959 McKee decision. The ct. noted that, subsequent to McKee, "significant commentary" on the "reasonable care" standard had appeared in Pattern Jury Instructions at 561-63 (2d ed., 1974, New York State Office of Court Administration). That work analogized the hotel's liability to that of a common carrier to its passengers — i.e., absolute liability for assaults or insults by its employees unless caused by the guest's own improper act. The ct., however, felt obliged, in the absence of a clear line of decision in the state cts. following the Pattern Jury Instructions, to employ the "reasonable care" rule laid down in McKee, supra.][On occupiers' liability for criminal acts, cf. annotation and discussion of Samson v. Saginaw Professional Bldg., 224 N.W.2d 843 (Mich. 1975), 18 ATLA News L. 56 et seq. (March 1975)(landlord liability for criminal acts of 3d persons). For trial ct. decision imposing liability on hotel for criminal assault on guest, see Adams v. Holiday Inns of America, 15 ATLA News L. 411-12 (Nov. 1972).]

FEDERAL TORT CLAIMS ACT — GRIZZLY BEAR KILLING IN NATIONAL PARK — Failure to Warn — DISCRETIONARY ACTS — WRONGFUL DEATH — $87,417.67 Judgment Awarded for Death of 24-Yr-Old Unmarried Woman — Decedent was killed by a grizzly bear while camped at an unauthorized site in Yellowstone National Park. The administrator of his estate brought action under FTCA, alleging that the National Park Service (NPS) had failed to warn of the danger from bears & had created a risk of serious injury by marauding grizzlies — EVIDENCE — Plaintiff showed that NPS had abruptly closed back-country garbage dumps, where grizzlies had been feeding for many years during the season in which the park was heavily used. This encouraged bears to move into the campground areas, without any warning being given to visitors of the danger created. Plaintiff showed that NPS had available to it the recommendations of two animal biologists who had studied grizzly bear habits in Yellowstone National Park since 1959. The biologists recommended that the garbage dumps be phased out gradually & that carrion be provided temporarily to bears in the high country until they were able to adjust to the closing of the dumps. NPS had failed to implement these recommendations, had ceased radio monitoring of bears, & had failed to post signs throughout the park warning visitors of the hidden dangers posed by the grizzlies — CONTRIBUTORY NEGLIGENCE — Altho' decedent was camped at an unauthorized site, & had entered the park with a park employee, thus avoiding paying the entrance fee & receiving camping instructions, instant ct. found specifically that he was not guilty of contributory negligence — VENUE — Action was brought in Calif., which permits probate of a cause of action. Defendant-U.S. government claimed that venue was proper only in Wyoming or in Alabama, & moved for change of venue, which was denied. MARTIN v. U.S., ___F.Supp.___ (C.D. Cal., No. 72-3044-AAH, Feb. 24, 1975)[Source: Letter from ATLA Member Stephen I. Zetterberg, Claremont, Calif., whose associate, Dennis G. Martin, was plaintiff/administrator of estate.][For a settlement report of another "grizzly bear" case involving a mauling where plaintiff lost eye & sustained other facial injuries, see Parratt v. U.S. at 9 ATLA News L. 352 (Dec. 1966).]

Practice & Procedure

DISCOVERY — SURVEILLANCE OF PLAINTIFF — In Case of First Impression, Pa. Trial Ct. Allows Plaintiff's Interrogatories of Defendant as to Whether Any Sound, Photographic, Motion Picture Film, Personal Sight or Any Other Type of Surveillance of

September 16, 1975

Mr. Steven I. Zetterberg
319 Harvard Ave.
Calremont, Cal. 91711

Dear Steve:

Thanks for your informative letter of September 10. It appears as though the government has not yet appealed the case. I do hope that which ever way they go, they will have the testimony transcribed.

I have met the new superintendent to Yellowstone, Townsley, and found him very likable and quite different from Anderson. He invited me up to visit him in Yellowstone. There is also a new superintendent, Bob Kerr, at Teton Park and I have been very much impressed by him. It looks as though the Park Service, having retired Anderson early, has now attempted to put two good men in as superintendents of these parks.

There is still bear trouble in Yellowstone and undoubtedly there will continue to be problems for some time. I know very little of the results of the interagency study, but from what I hear they have not come up with a large number of grizzlies. There have been increased regulations on backcountry camping and visitors cannot camp at Canyon unless they sleep in their cars or within trailers.

I have not been on any trips since returning from the Scapegoat but my daughter Jana and I went deer hunting and backpacked out half a deer each on top of our packs. Just prior to this she had made a 97 mile backpacking trip so was in better condition than I was. I will keep you informed on anything that turns up on the grizzly bear situation.

Regards,

Frank

FCC:jls

September 1, 1975

Mr. Stephen I/ Zetterberg
319 Hartford Ave.
Claremont, Cal. 91711

Dear Steve:

Both John and I have been in the field on various research projects a good portion of the summer. I appreciate the letters and information that you have sent from time to time and am just now getting around to writing Betty Fitzsimmons for a copy of the transcript. I assume from this that the Government is definitely appealing the case.

Mr. John Morris, picture editor for the New York Times, spent a week with us here this summer and is very interested in getting a Times reporter to look into this whole grizzly bear situation and write an article. I will let you know how this shapes up.

You perhaps read in a summer issue of Time Magazine that Steven Ford, the President's son, was working with us in the Scapegoat Wilderness area on a grizzly bear habitat study. Steve is interested in the grizzly and what has been happening to it. Perhaps he will communicate some of his thoughts and ideas on the subject to his father.

I will be continuing with field work most of September but will try and keep in touch with you on any new developments.

Sincerely,

Frank Craighead

FCC:jls

SPEED MESSAGE

TO Dr. Frank C. Craighead, Jr.

FROM Martha Shell

SUBJECT

DATE 10/18/75 19

Frank:

Don't know if John has had a chance to talk with you lately, but we may get an article in Minnesota Naturalist and enclosed is the outline I submitted on it -- give me youradvice and suggestions after you look it over.

Also enclosed is other correspondence -- list of injuries in parks this year sent from Rocky Mountain Regional Office of NPS (I had a visit with Roger Contor RMNP sup't. while in Estes Park last month -- he put me in contact with Denver office for these). Also see the news coverage and NPS releases they sent, along with an article from St. Louis Post Dispatch sent me by Larry Bodinson of Congressman Bolling's office and another from the Inquirer.

Had such a marvelous letter from Dr. Gould this morning, bless his heart.

I've been so deep into above article haven't even come up for air all week. Should be able to wrap up the story in short order when I hear back on the outline.

I hope we get the job done yet. Hi to your family.

enc.

SIGNED Martha

1072

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U.S. House of Representatives

From the office of Richard Bolling, M. C.

10/8/75

Thought this might interest you.

Larry Bodine

The Mama Bear Who Came To Dinner

10-7-75 St Louis Post Dispatch

By PETER M. KELLY
Of United Press International

DENVER

WHEN Steve Fuller and his family sat down to a pot of stew last winter, they couldn't have guessed who was coming to dinner.

A 350-pound grizzly scented the stew Fuller's wife had spent the day preparing in their park cabin, lumbered out of the woods and tried to smash through a window.

"The bear pushed its head into the room," said Fuller, a winter custodian in Wyoming's Yellowstone National Park. "I was convinced she was going to get into the house."

Fuller called up rangers, who trucked the bear 40 miles back into the high country, but the grizzly didn't give up. She appeared at the cabin on two subsequent occasions, breaking windows and shredding roof shingles trying to claw her way into the house. The bear finally was labeled an outlaw and killed.

"It's really too bad she had to be destroyed," said Fuller. "Grizzly bears are superb animals and there are very few left in the world."

According to Fuller and animal biologists, man is closing in on the grizzly in the United States. Trophy hunters are poaching the bear, and backpackers and campers are invading the high country of Wyoming, Colorado and Montana.

The government earlier this year proposed classifying the bear as a threatened species, restricting hunting to an area of northern Montana. Biologists in Wyoming, Idaho and Montana have started a study to determine the number of grizzlies in the United States. The estimate currently runs between 700 and 1000.

But Fuller says he has little hope that the domestic grizzly will survive.

"In the pre-white man years, Indians had no weapons against grizzly bears and a grizzly bear had no fear of man," said Fuller. "After the white man came with firearms, the grizzly bear learned fear. I tend to be pessimistic about their future."

When the West was young, grizzly bears roamed the Great Plains in search of food, and extended from Mexico to Alaska. The grizzly now inhabits the western provinces of Canada, Alaska and in greater numbers than in the pocket of high country in the United States.

Moody by nature, the grizzly is a loner even among its own kind. The bear's appetite for meat is voracious and it will dig for hours for ground squirrels. Each year in spawning season, the grizzly will haunt the shores of mountain lakes in hopes of catching fish, a high-protein food source.

The grizzly also can be a killer.

Two young women were killed by a grizzly when camping in Montana's Yellowstone National Park in 1967. One of the first grizzly attacks on record is included in the journals of the Lewis and Clark Expedition in the early 1800s.

Larry Roop, a field biologist with the Wyoming Fish and Game Department, says the mountain grizzly is shy of human contact.

"The grizzly has learned to avoid man and fear him," Roop said.

The problem of attacks begins when a grizzly learns man is a source of food, he said.

"Once they learn man is a food source, like lions in Africa, they are killers," said Roop. "The old bears that can't get a food source are the ones that may be trouble."

Roop, who is involved with the three-state effort to track and count the grizzlies left in the United States, says that the bear's fate will be determined when it has no more room in which to avoid humans.

"The grizzly is a more remote wilderness-seeking animal," he said. "He seeks a certain amount of seclusion. They like the most rugged, remote parts of the country. They need large blocks of this to survive.

"They have this in the Yellowstone area, but it decreases in the amount of roads and logging and the large influx of back-country users. We don't know what the outcome will be. Perhaps, he will be able to tolerate man."

NATIONAL
ENQUIRER
SEPTEMBER 23, 1975



SURVIVOR Ronald Cole, his eye patch a grim reminder of his agonizing encounter with two maddened grizzlies, is embraced by wife Darci outside their log cabin in Alaska.

Backwoodsman Tells of Terror in the Wilderness...

I Prayed to Die Quickly as Crazed Grizzlies Started to Rip Me Apart

Ronald Cole, 39, had the horrible experience of being attacked by two huge grizzly bears. Cole and his wife are homesteaders in an isolated region of Alaska, and he was carrying supplies to their cabin last May 27 when he was faced by the enraged animals. By a miracle, he survived — but at terrible cost. When he was brought to Anchorage's Providence Hospital, "his face was totally crushed, ribs broken, arms and legs covered by severe lacerations," a hospital spokesman said. Here is his own story of what happened.

By RONALD COLE

I tried to scream, but no sound came from my throat. An infuriated grizzly bear was on top of me, biting savagely into my face. I felt its teeth ripping into my face . . .

When I first saw the two bears, a female that must have weighed 900 pounds and a male of about 600 pounds, they were only 15 feet away from me. I knew at once the sow was going to charge me.

But I couldn't reach my pistol quickly — a packboard on my back, full of supplies — was in the way. In a split second she was on me, knocking me down heavily. In another moment she was tearing at my face.

The pain — oh God, the pain — it was an agony I can never describe. The wild thought flashed through my anguished mind — "Kill me quickly, don't let me suffer!"

Then the sow stopped and the male took her place. I can still smell the stink of his breath as he stood on me, his tremendous weight crushing me.

Then the female came back and began striking my sides with her enormous paws. With horror, I realized my ribs were being broken. "Finish me!" I cried inwardly. "Make it quick, quick . . ."

They moved off. I heard them rustling in the brush, and I played dead. When I thought they had gone away, I found to my amazement that I could stand up. I began to move clumsily. I was in such terrible shock I didn't think about using my gun. I didn't even know that I couldn't see. I crashed into a tree.

Instantly I heard them coming after me again. I climbed the tree as fast as I could. But one of them caught my leg, bit right through my leather boot, and flung me to the ground. Now I knew it was going to happen — they would kill me this time.

Darci, my poor wife! She'd be left alone in the wilds. She'd never find my body here. I'd rot in this place after the bears finished with me . . .

All this streaked through my mind while the animals were tearing at me. Pieces of my leg were being bitten away — their teeth were going into me everywhere from my feet to my wrists. I kept saying to myself, "This isn't happening to me — I'm not being eaten alive by bears!"

Then everything must have gone dim, because I can't remember the pain any further.

After a long, long time, it seemed, I came to my senses. I began to crawl, choking on my own blood, every move bringing brain-searing jolts of almost unendurable pain.

Darci heard me when I was 500 feet from the cabin. She got me inside, pushing and almost carrying me. Then she grabbed a pistol and a rifle, went out and locked the cabin door tight, in case the bears had followed my trail.

She ran for help to our nearest neighbors, four miles away through the woods and across streams, because we had no telephone. When she'd gone, the pain grew so intense that I remember trying to reach my gun to shoot myself. I couldn't even do that.

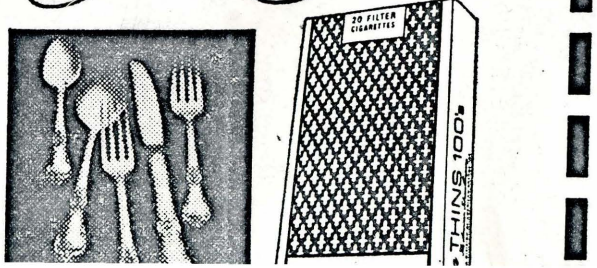
Darci made her heroic run and contacted Elmendorf Air Force Base. Half an hour after that a helicopter picked me up. I was rushed to Providence Hospital in Anchorage, where a team of seven surgeons worked on me for six hours, wiring up my crushed face, sewing me together with hundreds of stitches, repairing broken ribs and the bites taken out of my arms and legs.

My face was so badly damaged that my head was three times its normal size. I'm out of the hospital now, but I'll have to stay in Anchorage for a year, getting treatment and therapy for my mangled body.

A plastic surgeon and an eye doctor will start work on me soon. Both eyes were useless at first, but, thank God, I'll be able to see okay eventually. For the moment I have to wear a patch over my right eye. My jaws are wired together, and I've lost 25 pounds of my normal 160. But I'm not giving up our homestead.

I'm going after the bears that did this to me. If I get close enough to either one, I'm going to blow it to bits with the biggest gun I can carry.

A Silverplate offer from Silva Thins



United States Department of the Interior
NATIONAL PARK SERVICE
ROCKY MOUNTAIN REGIONAL OFFICE
655 Parfet Street
P.O. Box 25287
Denver, Colorado 80225

IN REPLY REFER TO:
N1427 (RMR)DP

September 25, 1975

Ms. Martha Shell
809 East 83rd Street
Kansas City, Missouri 64131

Dear Ms. Shell:

This will followup our 'phone conversation of Wednesday concerning bear-human incidents in the national parks this year. I hope you'll find sufficient details for your purposes.

In all, we've accounted for 28 incidents involving injuries to a total of 24 people. I enclose copies of two Yellowstone National Park news releases that detail back-to-back incidents there on August 20-21. In addition, there are copies of two news accounts of episodes that occurred in Glacier National Park involving injury to two Indiana men and three members of an Illinois family.

In the chronologic account that follows, I've tried to identify the incidents as mauling or mischief and to identify the type of bear involved. Here we go:

May 22, Yosemite National Park--A black bear was eating food in an open storage area in a campground. The victim yelled as he turned a corner and the bear swatted him. Abrasions only, no cuts or broken bones.

May 26, Glacier National Park--Dale Kreji of Kalispell, Montana, encountered a grizzly while hiking in the back-country. The bear ripped off Kreji's shirt, scratched his back and seized some food that Kreji was carrying.

June 17, Yosemite--A 10-year old child was feeding cherries to a black bear and when he ran out of goodies, the bear swatted him. Near lodge. Minor abrasions.

June 22, Yosemite--A 10-year old child was swatted by a black bear after the youngster ran up behind it thinking it was a pet. In parking lot. Minor lacerations.

AMERICAN REVOLUTION BICENTENNIAL 1776-1976

June 24, Yosemite--Visitor sleeping in rear of a canvas-walled lodging unit. Black bear lunged toward the canvas curtain partition, swatted it and the victim. Small abrasions to right shoulder.

June 5, Yosemite--Black bear eating contents of ice chest. Awoke camper in canvas-walled lodging unit. Victim stuck head out of tent and was immediately slapped by bear. Minor facial scratches.

July 5, Glacier--A grizzly sow, apparently protecting her cub, literally ran over Sara Bishop who was hiking with her brother in the backcountry. We're told that Sara and her brother, Tim, were youngsters, but neither their ages nor hometown were reported. Neither was injured.

July 6, Mount McKinley National Park (Alaska)--Mike Bishop of Geneseo, New York, encountered two young grizzlies while hiking. In fleeing the scene Bishop stumbled and fell. The grizzly pounced on him, bit him on the right thigh, then moved on.

July 7, Glacier--Ms. N. J. Mitchell (middle age, hometown unknown), encountered a black bear that stood erect and approached her. She shouted and rang a small bell she was carrying to no avail, then climbed a tree. The bear climbed an ajoining tree and sought to move across as Ms. Mitchell descended and ran off. She was not injured.

July 9, Glacier--A mischievous black bear jumped on Gregory Gintoff's tent, broke a tent pole and tore up a backpack. Gintoff, of Fairfield, Conneticut, was not harmed.

July 10, Yosemite--A black bear stepped on victim's face while he was sleeping on ground in campground. Minor injuries to left cheek under eye.

July 12, Yosemite--Visitor sleeping on ground in campground, black bear swatted him for no apparent reason. Laceration 2" x 2" on crown of head, 7 or 8 stiches taken.

July 17, Yosemite--Camper sleeping in tent heard unusual noises outside, opened tent, observed black bear 12" away, closed flap immediately. Bear swatted tent and victim. Two minor scratches on forehead and nose.

July 24, Yosemite--Victim was sleeping on ground in campground, bear either swatted or stepped on victim. No broken skin.

July 30, Yosemite--Scratches and bruises. No written report made, no details available.

July 30, Great Smokey Mountains National Park--Four-year old child received puncture wound in the arm while attempting to feed a female bear with cubs. Treated and released.

August 7, Glacier--Three members of an Illinois family of four were mauled by a grizzly. You'll find the details reported in the newspaper article enclosed.

August 7, Yosemite--Camper sleeping on ground next to backpack in back-country. Black bear tore pocket on pack, swatted victim on head, small cuts only.

August 14, Yosemite--In back-country, black bear stole food sacks hanging from trees. While bear was consuming part of food, owner retrieved remainder by pulling rope. Bear approached victim, who dropped food and backed off. Bear charged, swatted, and knocked him down. Deep cuts on left hand and right forearm.

August 14, Great Smokies--A 45-year old man suffered a claw wound on his chest and a bite on the hand while in his car when a female with cubs reached in the window. Not known why she did so. Treated and released.

August 15, Great Smokies--Eighteen-year old girl scratched slightly on leg by bear trying to lick spilled cola off leg. No medical attention needed.

August 15, Yosemite--Black bear knocked down campground user, struck him across lower back. Several lacerations, 12" to 15" long. No stiches required.

August 20, Yellowstone National Park--A young Frenchman hiking with a companion, was mauled by a grizzly. Details are in the attached news release.

August 21, Yellowstone--Three miles from where the Frenchman was attacked, a seasonal employee of the park was attacked and injured by a grizzly. That incident, too, is reported in an enclosed news release.

August 23, Glacier--A black bear ripped apart the packs of a number of hikers at a back-country campsite. The hikers suffered no injuries.

September 4, Yosemite--Victim in sleeping bag in campground awakend by small bear standing on his legs. Started to crawl inside bad when bear hit him across face. One inch laceration under right eye.

September 5, Glacier--A determined black bear followed six hikers down the trail to their campsite, climbed into a boat at the shoreline, ate some food stuffs it found there, then moved to a small shed where other backpacks were stored and proceeded to tear apart one side of the shed before being driven off. Again, there were no injuries.

September 7, Glacier--Two Indiana men were mauled by a grizzly, as reported in the enclosed newsclipping.

I'm reasonably certain that this accounts for all of the bear-human encounters that have occurred in the National Park System this year. And I hope that these brief naratives provide you with all of the facts that you may require.

You might be interested to know that the National Park Service is only just completing work on an Environmental Impact Statement on its Grizzly Bear Management Program. That program, briefly, emphasizes to reduce man-generated food sources and to regulate visitor disturbance in Yellowstone National Park. The objective of the program is to perpetuate a wild, free-ranging grizzly bear population in the park.

I am not sure when the Environmental Statement will be published, but I'll be happy to send you one of the first copies available if you're interested.

Many thanks for your interest, and best wishes for a solid, interesting article. Please let me know if I can help further.

Sincerely yours,

Sue Eckstein

James D. Harpster
Acting Assistant to the Regional Director
for Public Affairs

Enclosures

RELEASE

U.S. department of the interior

National park service

INFORMATION FOR THE PRESS
FOR IMMEDIATE RELEASE

Press Contact: Carder
(307) 344-7381, Ext. 269

VISITOR INJURED IN BEAR ATTACK

Two visitors from France, on a four-day backcountry trip in Yellowstone National Park, surprised what was apparently a female grizzly with two cubs while hiking to their campsite Wednesday afternoon, August 20. One of the visitors was attacked by the bear and received multiple injuries.

Listed in good condition at Lake Hospital, Thursday morning, August 21, was Jeanguillaume Christian, 24. His partner, Jean Chabbal, 25, was uninjured.

Christian, a fifth year medical student in France, received lacerations and punctures on his left leg and arm, his right hand and a wound on his chest. He remains at Lake Hospital for further observation.

According to the two men, they were hiking along Bighorn Pass Trail in the northwest section of the park at about 3 p.m., Wednesday, when they came upon a female grizzly with two cubs. They say they immediately climbed trees but the bear pulled Christian down and began biting him. Christian says he played dead and the bear finally went away.

- more -

p.o. box 168 yellowstone national park, wy 82190

Both men then hiked about seven miles to the nearest road and hitchhiked to West Yellowstone, Montana. Christian was treated at the West Yellowstone Medical Clinic at about 8:30 p.m. Park Rangers were notified and both were taken to Lake Hospital.

All campsites in the Bighorn Pass and Fawn Pass areas of the park are now closed to visitors. The Fawn Pass Trail intersects the trail the two men were hiking.

Park officials have commended Christian on his actions following the attack. They say he did exactly what he should have done when a bear attacks: keep calm, don't panic and play dead. They credit his ability to follow these instructions as probably having saved his life.

Park Rangers instruct all backcountry users to play dead if a bear attacks. Christian said he remembered these instructions and was luckily able to carry them out. The two men obtained their backcountry use permits at the Mammoth Ranger Station and were on the second day of their planned four-day trip.

According to Park Service records, this attack marks only the sixth such grizzly attack in the backcountry of Yellowstone since 1930. Three occurred in the 1960's and one in 1970 and 1972.

Glen Cole, chief park biologist, says all backcountry grizzly injury incidents have involved female bears with cubs who have been surprised by hikers. He says backcountry use has increased by 400 percent in the park since 1970, yet the incidence of bear attacks

biased information. There is a definite

has not risen. He feels this is due to the system of monitored sightings used by the Park Service to regulate backcountry camping and hiking. The system works like this:

Park Service employees report all bear sightings to the park's Communication Center at Mammoth. Visitor sightings are reported either by Park Rangers or visitors themselves directly to the center. The center passes on all reports to the biology office where an up-to-date map is kept showing locations of sightings and type of bear involved. All reports are then compiled into daily and weekly listings and circulated throughout the park by radio and in writing in the center's "Daily Report." Each ranger station where backcountry use permits are issued then regulates the use of campsites based on these reports.

Whenever a report is received of a female bear with cubs, the area is closed to visitors. If sightings of other bears are reported, backcountry users are informed of the possibility of bear in the area and the decision to camp is left to them. Rangers monitor all bears in their areas and reopen campsites when there is no longer a threat.

From his hospital bed on Thursday, Christian asked the Park Service to be sure and not do anything to the bear. He said he felt the incident was entirely their fault and would hate to destroy a mother bear who was simply protecting her young. The Park Service had intended no such action.

- NPS -

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INFORMATION FOR THE PRESS
Supplement to Grizzly Story of 8/21

Press Contact: Carder
(307) 344-7381, Ext. 269

. PARK EMPLOYEE BECOMES SECOND PERSON
INJURED BY GRIZZLY IN YELLOWSTONE THIS YEAR

The second personal injury by a grizzly bear this year and the second within two days occurred in Yellowstone National Park on Thursday, August 21.

Injured was Donald Shute, 23, a Park Service seasonal employee from Clarendon Hills, Illinois, and a member of a biology study team doing a backcountry vegetation study in the northwest section of the park.

Shute received puncture wounds on his neck and upper back and was treated and released Thursday evening at Mammoth Clinic. He and another member of the team hiked ten miles back to Mammoth following the incident. No other member of the team was injured.

The incident occurred within three miles of a similar incident on Wednesday, August 20, in which a French backpacker was injured by a grizzly. (See attached story.) Park officials do not believe the same bear was involved in both cases.

As a result of these incidents, and other reports of grizzly sightings in the same area, the area within a four-mile radius of Bighorn Pass and Fawn Pass is now closed to foot travelers. This means a total of 14 campsites are closed until further notice.

- more -

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biased information. There is a genuine

Shute says he and his partner, Anthony Caprio, 22, of Missoula, Montana, were walking through a meadow when they heard a loud crashing noise which they thought was some elk in the brush. When they turned toward the sound, they saw two grizzly bears, one of which was charging them. Both men took off in different directions for some trees and the bear chased Shute.

Shute says he fell when trying to jump a ravine and felt the bear on top of him.

"It actually just ran over me." he said. "It was all over in just a few seconds."

When the bear left Shute, it apparently went looking for Caprio. Caprio says he hid in some heavy brush and the bear kept running back and forth trying to find him.

"I could hear it running back and forth out there but the brush was just too heavy for it to get into," he said. "It finally left and I came out to find Don." Both men then hiked back to park headquarters at Mammoth.

- NPS -

August 22, 1975

Hospital Stay Ends For Bear Victims

Homeward bound to Des Plaines, Ill., after a harrowing experience with a Glacier National Park grizzly bear are Mr. and Mrs. Harold Peterson, daughter, Karen, 11, and son, Seth 7. Part of the family flew by plane from Calgary.

Karen and Seth were released from Cardston Municipal Hospital Wednesday after being hospitalized with their father the previous Thursday with bear-inflicted injuries.

Meanwhile Glacier Chief Ranger Charles B. Sigler announced Wednesday that the Grinnell Glacier Trail had been re-opened to hikers. There had been continued surveillance with no sign of a bear.

In the Thursday morning encounter Karen had been most seriously injured with a fractured skull, concussion, broken nose and gashes about her forehead and chin. She was alert and cheerful at the hospital with fast recovery. Her brother had puncture wounds about the head, and the father a compound fracture of an arm with laceration plus other cuts. Mrs. Peterson had been bruised in falling.

The family resented the publicity that seems to come in all such cases, and both Karen and her father are reported to have said: "Don't hurt the bear."

The story broke just before Hungry Horse News press time last Thursday: Essentials were presented but not details. The story was carried by press and radio across the country, and there were numerous telephone calls to the Cardston Hospital. Peterson didn't answer.

Last Thursday morning, the Petersons left Swiftcurrent Camp hiking toward Grinnell Glacier, a 4.8 mile walk. They apparently were the first out on the trail.

Seth and Karen took turns being in the lead. About a mile from the lunch stop area just below Grinnell Glacier, Karen was in the lead when a bear came out on the trail charging and growling. It was about 8:30 a.m.

The bear grabbed her head threw her up the hill and went after her. Her father described as a construction foreman weighing about 195 pounds went to her rescue. The bear charged Peterson, who apparently got hold of the neck fur and attempted to hold the animal off. Peterson's back was scratched and he received a compound fracture of his left arm with lacerations.

Seth jumped into brush and the bear went after him, and he received the head and neck bites. Meanwhile Mrs. Peterson stumbled and the bear went right past her back to Karen. Peterson picked up a large rock with his good arm. The bear veered toward him then left.

Peterson helped Karen and with Seth walked down the trail. Mrs. Peterson apparently in a daze had taken off down the trail feeling that Seth was ahead. This entire encounter was a matter of a couple minutes.

Mrs. Peterson met Naturalist Dave Casteel hiking with his group along Jospehine Lake heading for the glacier. Meanwhile Peterson and the two children got to the Oastler Shelter at the head of Josephine Lake just as the launch with Seasonal Naturalist Robert Schuster and his group from Many Glacier Hotel was

(continued on page 5)

HUNGRY HORSE NEWS – 1975

Aug. 7, 1975 incident
Thursday

[illegible] biased information. There is a definite

Bear Victims

(continued from page 1)

locking. In this party was Dr. George Cole, Rochester, Minn., a Mayo Clinic physician.

The boat skipper radioed Art Burch that there had been a bear accident and he was coming in. Burch went to the head of Swiftcurrent Lake to meet the group coming in. Many Glacier Ranger Station was notified of the accident by Schuster. It was about 9:30 a.m.

Naturalist Casteel had sent Mrs. Peterson back to Swiftcurrent Camp with the hikers that had intended to go to the glacier. Casteel dispatched a messenger to contact Naturalist Schuster at the Oastler Shelter. Casteel didn't know at the time that the Peterson boy wasn't lost.

At Many Glacier Hotel, Dr. Cole got in the back of the park vehicle that serves as an ambulance, to be with Karen, while Peterson and his son were in the front with Seasonal Ranger Robert J. Isdahl who drove them to the Cardston hospital.

Supervising the park phase at Many Glacier was Ranger William J. Pierce who was complimented for doing a good job.

Fire Guard Dan Hosford was dispatched to close area trails. Seasonal Ranger Roger Shewmake, Casteel and Schuster went up the trail to see that no more hikers were about, examine the attack location and look for the bear. They retrieved a camera and package of food, but there wasn't any sign of the animal nor tracks.

Later in the day Peterson described the bear as a light colored grizzly weighing perhaps 250 pounds.

It was on July 25 a year ago that Dr. J. Gordon Edwards, professor of entomology at San Jose State College, was attacked by a grizzly.

No man knows Glacier's back country better than he, and he'd worked in Glacier as a seasonal naturalist for nine summers, and has vacationed here the other summers except for one.

Dr. Edwards was off the trail near Feather Plume Falls across the valley from last week's encounter. A sow grizzly grabbed his left hand. He walked out, caught the launch across Josephine Lake, then Swiftcurrent Lake, and was driven to Cardston Hospital. About 15 stitches were required to repair his hand and the scars barely show today. Story of this encounter was reprinted in the July 24, 1975 Hungry Horse News.

This newspaper has a responsibility to help make the public aware of the bear situation.

Dick Munro, Glacier's management assistant, was at Many Glacier with Chief Ranger Charles B. Sigler Thursday at the time the Petersons came out. Munro feels wind was a factor and felt that the bear wasn't aware of Karen until she was right there. It was a situation, he felt, of the bear being surprised.

The Hungry Horse News editor talked to Research Biologist Clifford J. Martinka and Tom Stuart, University of California graduate student whose doctorate dissertation is "The Trade Off Between Objectives in Management of the Back Country."

There is the casual comment that an individual is likely safer on a park trail than on a highway.

Martinka feels that each individual who hikes a park trail should be provided enough information to make a decision. "The easiest way to make excuses is to use statistics," he said.

Stuart notes that on one hand "We are trying to avoid people-bear contacts, and on the other we are trying to provide solitude at backcountry campsites."

He referred to Forest Service research that solitude at campsites is even more important than solitude on trails. He feels there is need for more information and a danger in working with biased information. There is a definite

Anaconda Settles With Dehlboms

The $2,380,000 civil suit claiming fluoride pollution damage by Anaconda Aluminum Co. filed April 16, 1970 has been settled out of court.

This was the first pollution damage suit filed against the Columbia Falls plant and was in behalf of H. R. and Mabel Dehlbom, Columbia Falls.

Part of the settlement agreement was not to divulge the amount. Still pending are 25 other damage suits against the Anaconda Company.

The Anaconda Company is purchasing the Dehlboms' 160 acres with a provision that Mr. and Mrs. Dehlbom and their son Dick will have life occupancy of the tract that adjoins the AC plant northeast of Columbia Falls.

New Addresses Saturday For Rural Mail Patrons

New addresses for rural route patrons and increased areas for mail delivery go into effect Saturday for Columbia Falls Post Office.

Postmaster Teddy Andrew emphasized that city post office box patrons are to continue using box numbers for mail delivery. Only rural patrons are to use street designations.

New routes 1, 2 and 3 have a total of 147.60 miles daily with 1,018 family mail boxes to be served by Jim Konen, Alvie Blades and Mrs. Lois Barber. Mrs. Marge Miller is substitute carrier for Route 2 with others to be named.

Mabel Dehlbom, Columbia

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The rural delivery Mondays through Saturdays is available to more families both within Columbia Falls city limits and Vetville, Postmaster Andrew commented. Information concerning boundaries may be obtained at Columbia Falls Post Office.

The county is in the process of designating both house numbers and street names for rural areas. Residents are to contact the county surveyor's office if they do not have correct information.

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This newspaper has a responsibility to help make the public aware of the bear situation.

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Stuart notes that on one hand "We are trying to avoid people-bear contacts, and on the other we are trying to provide solitude at backcountry campsites."

He referred to Forest Service research that solitude at campsites is even more important than solitude on trails. He feels there is need for more information and a danger in working with biased information. There is a definite requirement for more intensive studies in Glacier on the whole problem. Solution to people-bear problems isn't putting collars with radios on bears.

Glacier's staff is well aware that this summer there have been a larger number of bear sightings than usual.

velry

New

Designs

Drug

At Evergreen

EVERGREEN — The Evergreen Schools will open for the fall term on Wednesday, Sept. 3, with a half-day session scheduled and regular classes of full days to begin on Sept. 4.

The schedule calls for classes at the East School for grades one and two to begin at 8:50 a.m. and dismiss at 3 p.m.

At the West School, classes will begin at 8:40 a.m. and dismiss for grade three at 3 p.m. and for grades four and five at 3:15 p.m.

The junior high school classes will begin at 8:25 a.m. and dismiss at 3:16 p.m.

Bus transportation will be provided between the East and West schools leaving daily

ACE

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Kalispell — Columbia Falls — Whitefish

PLYWOOD SALE

3/8" 4x8'	$2.95
1/2" 4x8'	$3.49
5/8" 4x8'	$4.49
3/4" 4x8'	$5.49

SHEATHING PLOWS

CKW

Two in Glacier Park Injured by Grizzlies

Denver Post 9-8-75

Sept. 7

EAST CLACIER, Mont. — (AP)—Two Indiana men were injured Sunday when they surprised a group of bears along a popular hiking trail in Glacier National Park.

Both men were mauled, one of them as he tried to climb a tree to safety.

Park officials said accounts from the victims indicated they were attacked by a female grizzly bear and her two yearling cubs.

The victims were identified as Martin Evans, 20, Lebanon, Ind., and Mike L. Coppes, 26, Indianapolis.

BOTH HOSPITALIZED

Both men were hospitalized in the Blackfeet Indian Hospital at nearby Browning. Their injuries weren't considered serious.

Authorities said Evans, a room clerk at the Glacier Park Lodge, apparently didn't make it up a tree and suffered lacerations on his face, head and upper body. Coppes, a tour guide, received a deep cut on his right leg and other lacerations about his lower body.

Rangers said it appeared Coppes was jerked down while trying to climb to safety.

The incident occurred in the Two Medicine Valley area near Rockwell Falls. Both men hiked about four miles to the Two Medicine Ranger Station.

SEARCH ON

Ranger Lloyd Kortge said the hikers apparently surprised the bears along a popular trail leading to 8,000-foot Two Medicine Pass.

Kortge said other rangers immediately started a search for the bears and closed the area to further travel.

This mauling was the second such incident in the park this season, and both involved encounters with startled grizzly bears.

On Aug. 7, a family of four from Des Plaines, Ill., surprized a grizzly along another popular park trail, and three of them were injured in the melee. Harold Peterson, 37, suffered a crushed arm. His 11-year-old daughter, Karen, required surgery for a crushed skull, broken nose and gashes about her forehead and chin. A 7-year-old boy, Seth, suffered puncture wounds about his head.

In 1967, two young women were killed in the park during separate grizzly attacks that occurred on the same night.

United States Department of the Interior
NATIONAL PARK SERVICE
ROCKY MOUNTAIN REGIONAL OFFICE
655 Parfet Street
P.O. Box 25287
Denver, Colorado 80225

IN REPLY REFER TO:
N1417 (RMR)DP

October 14, 1975

Ms. Martha Shell
809 East 83rd Street
Kansas City, Missouri 64131

Dear Ms. Shell:

I'm pleased that the information we provided last month on bear activities within the parks was of value to you.

In further response to your questions, Yellowstone National Park Chief Biologist Glen Cole's quote that all grizzly attacks on humans involved female bears with cubs does indeed refer specifically to Yellowstone. In the case of the August 21 incident, where two grizzlies were involved, both animals were medium-sized sows with cubs. Neither carried a radio device, and there was no indication that either was tagged. The same is true of the sow bear involved in the August 20 injury at Yellowstone National Park.

The members of the Steering Committee are Dr. F. Eugene Hester, Associate Director for Research and Environment, U.S. Fish and Wildlife Service; Dr. Theodore W. Sudia, Chief Scientist of the National Park Service; Dr. Everett R. Doman, Director of Wildlife Management for the U.S. Forest Service; Director Joseph C. Greenley of the Idaho Fish and Game Department; Director Wesley R. Woodgerd of the Montana Fish and Game Department; and Director James B. White of the Wyoming Game and Fish Department.

The governors of the respective states are not members of the Steering Committee. It's possible you may have heard--and correctly so--that the governors of Montana, Idaho and Wyoming are members of a Steering Committee for the Greater Yellowstone Regional Transportation Study, but that activity is separate and apart from the interest in grizzlies.

The final environmental impact statement on the grizzly bear management program is in preparation now, and we anticipate it will be published and distributed some time this winter. We will assure that a copy is sent you promptly.

I hope this adequately responds to the questions in your October 5 letter, and that you'll let me know if we can be of further help. Meantime, thanks again for your interest.

Sincerely yours,

Jim Harpster

James D. Harpster
Assistant to the Regional Director
for Public Affairs

United States Department of the Interior

NATIONAL PARK SERVICE
Rocky Mountain National Park
and
Shadow Mountain National Recreation Area
Estes Park, Colorado 80517

IN REPLY REFER TO:
N14

October 14, 1975

Mrs. Paul V. Shell
809 East 83 St.
Kansas City, Missouri 64131

Dear Mrs. Shell:

Enclosed is a reprint of excerpts from my talk to the National Wildlife Federation Winter Summit.

As you know, our policy is to restore native wildlife species where possible. The grizzly bear was native to Colorado and Rocky Mountain National Park; therefore we must consider its reintroduction. This is about as far as we have gotten presently. All aspects and alternatives of such a program must be considered. The public must be thoroughly informed and their opinions considered. Therefore to date no positive plans have been made as to management of grizzly bears in Rocky Mountain National Park.

However, we would like to see grizzly bears back in the Park. This would entail such things as radio monitoring the location of all bears released. Heavily used habitat such as ungulate winter ranges, denning sites, other feeding areas would have to be closed to public use. Territories of particular bears such as females with cubs would also have to be closed to public use at certain times. As you can see, it would not be a simple or inexpensive project.

One aspect that has to be solved is that of public liability. Recent court decisions have indicated the Park Service is liable for injuries caused by bears. If a way is not found to get around this difficulty, the feasibility of reintroduction is greatly diminished.

We would be happy to discuss this further next time you come to the Park.

Sincerely yours,

Roger J. Contor

Superintendent

Enclosure